
Summary of Pension Benefits

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About This Summary

The state of Washington currently administers benefits in eight individual retirement systems and 15 related tiers (referred to as "plans"). The hundreds of provisions by which these benefits are provided have the ability to blur the differences and similarities between each plan's features.

This Summary provides comparable information about retirement benefits in a quick reference format. It is produced to assist legislators and their staff in identifying the specific retirement benefits offered to the over 400,000 public workers employed by Washington's state and local governments, police and fire departments, schools and judicial systems. Also included are the benefits of the volunteer fire fighters' pension system.

The Summary is organized according to the features which determine benefit eligibility and aspects of coverage. The statutory citations for each benefit feature are listed first. Information is contained in a table format according to the tier of benefits under which each plan was created. Following the citations are abbreviated descriptions of each provision.

Benefits for individual members are determined according to system membership requirements and the date employees first entered public service. This information is shown on the first page of each plan summary. (See the table of contents.)

All benefits and citations are as of the effective date shown on the cover. Legislation that has been enacted by the Legislature, but has not yet taken effect is not included. The information contained in this summary is not intended to substitute for a complete description of retirement law. If there are conflicts between what is written here and what is contained in law, the applicable law governs.

Plan 1	Page #	LEOFF	PERS	TRS
1. Design	10	–	–	–
2. Membership	10	41.26.030(3)(4)/41.26.040	41.40.010/41.40.023	41.32.010/41.32.032/41.32.240
3. Portability	12	41.26.195	41.54.010	41.54.010
4. Vesting	12	41.26.090	41.40.180	41.32.470
5. Terminated, Vested Benefit	12	41.26.090	41.40.150(3)	41.32.480(2)
6. Credited Service	13	41.26.030(14)(a)	41.40.010(9)(a)/41.40.088	41.32.270
7. Elective Service	13	No provision	41.40.023	41.32.260
8. Service Credit for Leave of Absence	13	41.26.197	41.40.175	41.32.267
9. Military Service Credit	14	41.26.190	41.40.170	41.32.260
10. Withdrawal of Employee Contributions	15	41.26.170	41.40.260/41.40.191	41.32.510/41.32.4986
11. Restoration/Purchase of Service Credit	15	41.26.170/41.50.165	41.40.150(2)/41.50.165	41.32.310/41.50.165
12. Compensation	16	41.26.030(13)(a)	41.40.010(8)	41.32.010(10)
13. Computation of AFC	16	41.26.030(12)(a)	41.40.010(17)/41.54.030	41.32.497/41.32.498/41.54.030
14. Eligibility for Normal Retirement	17	41.26.090	41.40.180	41.32.480
15. Eligibility for Early Retirement	17	No provision	No provision	No provision
16. Service Retirement Allowance	18	41.26.100	41.40.185/41.40.190/41.40.330(2)	41.32.350/41.32.497/41.32.498
17. Minimum Benefit	19	No provision	41.40.198(4)	41.32.4851
18. Cost-of-Living Adjustments	19	41.26.240/41.26.250	41.40.197	41.32.489
19. Retirement for Disability	20	41.26.130	41.40.210/41.40.220/41.40.235	41.32.540/41.32.550
20. Disability Leave	20	41.26.120/41.26.125	41.40.038	No provision
21. Survivor Benefits - Active Members	21	41.26.160/41.26.161	41.40.0932/41.40.270	41.32.053/41.32.520/41.32.522/ 41.32.523
22. Survivor Benefits - Retired Members	22	41.26.160/41.26.161	41.40.188	41.32.530/41.32.523
23. Medical Services	22	41.26.150	No provision	No provision
24. Gain-Sharing Payments	23	No provision	41.31 RCW	41.31 RCW
25. Post-Retirement Employment	23	41.26.100	41.40.037	41.32.570
26. Member Contributions	24	41.26.080/41.04.445	41.40.330/41.04.445	41.32.263/41.32.350/41.04.445
27. Employer Contributions	24	41.26.080/41.50.150	41.45.060/41.50.150	41.45.060/41.50.150
28. State Contributions	25	41.45.050/41.45.060	41.45.060	41.45.060

Plan 2	Page #	LEOFF	PERS	SERS	TRS
1. Design	28	—	—	—	—
2. Membership	28	41.26.030/41.26.040	41.40.010/41.40.023	41.35.030	41.32.010(29)/41.32.780
3. Portability	30	Chapter 41.54 RCW	Chapter 41.54 RCW	41.54 RCW	41.54 RCW
4. Vesting	30	41.26.490	41.40.630	41.35.480	41.32.795
5. Terminated, Vested Benefit	30	41.26.490/41.26.530	41.40.720	41.35.420/41.35.450	41.32.815
6. Credited Service	31	41.26.030(14)(b)	41.40.010(9)(b)	41.35.010(7)/ 41.35.033	41.32.010(26)(b)
7. Elective Service	32	41.26.030(14)(b)	41.40.010(9)(b)(i)	41.35.030	41.32.010(26)(b)(iv)
8. Service Credit for Leave of Absence	32	41.26.520	41.40.710	41.35.470	41.32.810
9. Military Service Credit	32	41.26.520	41.40.710	41.35.470	41.32.810
10. Withdrawal of Employee Contributions	33	41.26.540	41.40.730	41.35.490	41.32.820
11. Restoration/Purchase of Service Credit	33	41.26.550/41.50.165	41.40.740/41.50.165/ 41.40.630	41.35.500/41.50.165	41.32.825/41.50.165
12. Compensation	34	41.26.030(13)(a)	41.40.010(8)(b)	41.35.010(6)	41.32.010(10)(b)
13. Computation of AFC	34	41.26.030(12)(b)/ 41.26.057	41.40.010(17)(b)/ 41.40.103	41.35.010(14)	41.32.010(30)/41.32.063
14. Eligibility for Normal Retirement	34	41.26.430/41.54.030	41.40.630/41.54.030	41.35.420/41.54.030	41.32.765/41.54.030
15. Eligibility for Early Retirement	34	41.26.430	41.40.630	41.35.420	41.32.765
16. Service Retirement Allowance	35	41.26.420	41.40.620	41.35.400	41.32.760
17. Minimum Benefit	35	No provision	No provision	No provision	No provision
18. Cost-of-Living Adjustments	35	41.26.440	41.40.640	41.35.210	41.32.770
19. Retirement for Disability	35	41.26.470	41.40.670	41.35.440	41.32.790
20. Disability Leave	36	No provision	No provision	No provision	No provision
21. Survivor Benefits - Active Members	36	41.26.510/41.26.048	41.40.0931/ 41.40.0932/41.40.700	41.35.460/41.35.115	41.32.805/41.32.053
22. Survivor Benefits - Retired Members	37	41.26.460	41.40.660	41.35.220	41.32.785
23. Medical Services	37	No provision	No provision	No provision	No provision
24. Gain-Sharing Payments	37	No provision	No provision	No provision	No provision
25. Post-Retirement Employment	38	41.26.500	41.40.037/41.40.690	41.35.060	41.32.800/41.32.802
26. Member Contributions	38	41.45.061(5)/ 41.04.445	41.04.445/ 41.45.061(4)	41.04.445/ 41.35.430/ 41.45.061(2)	41.04.445/41.45.060/ 41.45.061(1)
27. Employer Contributions	38	41.26.450/41.50.150	41.40.048/41.45.060/ 41.50.150	41.35.430/ 41.45.060/41.50.150	41.32.035/41.45.060/ 41.50.150
28. State Contributions	38	41.26.450	Not applicable	Not applicable	Not applicable

Plan 3	Page #	PERS	SERS	TRS
1. Design	40	—	—	—
2. Membership	40	41.40.023/41.40.785	41.35.030	41.32.032/41.32.835
3. Portability	40	41.54 RCW	41.54 RCW	41.54 RCW
4. Vesting	41	41.40.820	41.35.680	41.32.875
5. Terminated, Vested Benefit	41	41.40.820/41.40.790	41.35.620/41.35.680	41.32.840/41.32.875
6. Credited Service	42	41.40.010(9)(b)/41.40.088	41.35.010(7)/41.35.033	41.32.010(26)(b)
7. Elective Service	43	41.40.010(9)(b)(i)	41.35.030	41.32.010(26)(b)(iv)
8. Service Credit for Leave of Absence	43	41.40.805	41.35.650	41.32.865
9. Military Service Credit	43	41.40.805	41.35.650	41.32.865
10. Withdrawal of Employee Contributions	44	41.34.070	41.34.070	41.34.070
11. Restoration/Purchase of Service Credit	45	41.40.830/41.50.165(2)	41.35.700/41.50.165(2)	41.32.892(1)/41.50.165(2)
12. Compensation	46	41.40.010(8)(b)	41.35.010(6)	41.32.010(10)(b)
13. Computation of AFC	46	41.40.010(17)(b)	41.35.010(14)	41.32.010(30)
14. Eligibility for Normal Retirement	46	41.40.820	41.35.680	41.32.875
15. Eligibility for Early Retirement	47	41.40.820	41.35.680	41.32.875
16. Service Retirement Allowance	47	41.40.790/41.34.070	41.34.070/41.35.620	41.32.840/41.34.070
17. Minimum Benefit	47	No provision	No provision	No provision
18. Cost-of-Living Adjustments	47	41.40.840	41.35.210	41.32.845
19. Retirement for Disability	47	41.40.825	41.35.690	41.32.880
20. Disability Leave	48	No provision	No provision	No provision
21. Survivor Benefits - Active Members	48	41.40.0932/41.40.835	41.35.115/41.35.710	41.32.895/41.32.053
22. Survivor Benefits - Retired Members	49	41.40.845	41.35.220	41.32.851
23. Medical Services	49	No provision	No provision	No provision
24. Gain-Sharing Payments	49	41.31A RCW	41.31A RCW	41.31A RCW
25. Post-Retirement Employment	50	41.40.850	41.35.230	41.32.860/41.32.862
26. Member Contributions	50	41.34.040	41.34.040	41.34.040
27. Employer Contributions	50	41.45.060	41.45.060	41.45.060
28. State Contributions	50	41.31A.020	41.31A.020	41.31A.020

Washington State Patrol	Page #	WSP	WSP 2
1. Design	54	—	—
2. Membership	54	43.43.130	43.43.130/43.43.120(24)
3. Portability	54	43.43.135	43.43.135
4. Vesting	54	43.43.280(2)	43.43.280(2)
5. Terminated, Vested Benefit	54	43.43.280	43.43.280
6. Credited Service	55	43.43.120(12)/43.43.130(6)	43.43.120(12)/43.43.130(6)
7. Elective Service	55	43.43.139	43.43.139
8. Service Credit for Leave of Absence	55	43.43.235	43.43.235
9. Military Service Credit	55	43.43.260(3)/43.43.130(5)	43.43.130(5)/43.43.260(3)(b)
10. Withdrawal of Employee Contributions	56	43.43.280	43.43.280
11. Restoration/Purchase of Service Credit	56	43.43.130(3)/41.50.165(2)	43.43.130(3)/41.50.165(2)
12. Compensation	56	43.43.120(23)(a)	43.43.120(23)(b)
13. Computation of AFC	56	43.43.120(15)(a)/43.43.264	43.43.120(15)(b)/43.43.264
14. Eligibility for Normal Retirement	57	43.43.250	43.43.250
15. Eligibility for Early Retirement	57	No provision	No provision
16. Service Retirement Allowance	57	43.43.260	43.43.260
17. Minimum Benefit	57	43.43.274	43.43.274
18. Cost-of-Living Adjustments	57	43.43.260(5)	43.43.260(5)
19. Retirement for Disability	58	43.43.040	43.43.040
20. Disability Leave	58	No provision	No provision
21. Survivor Benefits - Active Members	58	43.43.270/43.43.285	43.43.285/43.43.295
22. Survivor Benefits - Retired Members	59	43.43.270	43.43.271
23. Medical Services	59	No provision	No provision
24. Gain-Sharing Payments	59	No provision	No provision
25. Post-Retirement Employment	59	No provision	No provision
26. Member Contributions	60	41.45.061(1)/41.04.445	41.45.061/41.04.445
27. Employer Contributions	60	See State Contributions	See State Contributions
28. State Contributions	60	41.45.060/41.45.070	41.45.060/41.45.070

	Page #	Higher Education	Volunteer/Reserves
1. Design	62	–	–
2. Membership	62	28B.10.400/Regents or Trustee's Rules/WAC	41.24.010
3. Portability	62	No provision	No provision
4. Vesting	62	28B.10.415	41.24.170
5. Terminated, Vested Benefit	63	28B.10.400	41.24.170
6. Credited Service	63	Regents or Trustees Rules/WAC	41.24.170/41.24.190
7. Elective Service	63	28B.10.409	Not applicable
8. Service Credit for Leave of Absence	63	28B.10.407	Not applicable
9. Military Service Credit	63	No provision	Not applicable
10. Withdrawal of Employee Contributions	64	Not applicable	41.24.180(4)
11. Restoration/Purchase of Service Credit	64	No provision	Not applicable
12. Compensation	64	Regents or Trustee's Rules/WAC	Not applicable
13. Computation of AFC	64	Regents or Trustee's Rules/WAC	Not applicable
14. Eligibility for Normal Retirement	64	28B.10.400/Regents or Trustee's Rules/WAC	41.24.170
15. Eligibility for Early Retirement	64	28B.10.400	41.24.170
16. Service Retirement Allowance	65	28B.10.401/28B.10.430	41.24.170
17. Minimum Benefit	65	28B.10.430	No provision
18. Cost-of-Living Adjustments	66	No provision	No provision
19. Retirement for Disability	66	Regents or Trustee's Rules/WAC	41.24.150
20. Disability Leave	66	No provision	No provision
21. Survivor Benefits - Active Members	67	28B.400(3)/Regents or Trustee's Rules/WAC	41.24.160/41.24.230
22. Survivor Benefits - Retired Members	68	28B.10.400(3)	41.24.172
23. Medical Services	68	28B.10.420/Regents or Trustee's Rules/WAC	41.24.220
24. Gain-Sharing Payments	68	No provision	No provision
25. Post-Retirement Employment	68	28B.10.420/Regents or Trustee's Rules/WAC	Not applicable
26. Member Contributions	68	28B.10.405	41.24.030(c)
27. Employer Contributions	69	Regents or Trustee's Rules/WAC	41.24.030(c)
28. State Contributions	69	No provision	41.24.030(c)

Judicial/Judges	Page #	Judicial	Judges
1. Design	72	—	—
2. Membership	72	2.10.040	2.12.010
3. Portability	72	No provision	No provision
4. Vesting	72	2.10.100	2.12.012
5. Terminated, Vested Benefit	72	2.10.100	2.12.012
6. Credited Service	73	2.10.100	20.12.010/2.12.100
7. Elective Service	73	2.10.030(8)/2.10.040	2.12.100
8. Service Credit for Leave of Absence	73	2.10.040	No provision
9. Military Service Credit	73	No provision	No provision
10. Withdrawal of Employee Contributions	73	No provision	No provision
11. Restoration/Purchase of Service Credit	74	No provision	No provision
12. Compensation	74	No provision	2.12.030
13. Computation of AFC	74	2.10.030(9)	2.12.030
14. Eligibility for Normal Retirement	74	2.10.100	2.12.010
15. Eligibility for Early Retirement	74	No provision	No provision
16. Service Retirement Allowance	75	2.10.110	2.12.030/2.12.012/2.12.015
17. Minimum Benefit	75	No provision	2.12.045
18. Cost-of-Living Adjustments	75	2.10.170	No provision
19. Retirement for Disability	75	2.10.130	2.12.020
20. Disability Leave	75	No provision	No provision
21. Survivor Benefits - Active Members	76	2.10.140	2.12.030
22. Survivor Benefits - Retired Members	77	2.10.140	2.12.030
23. Medical Services	77	No provision	No provision
24. Gain-Sharing Payments	78	No provision	No provision
25. Post-Retirement Employment	78	2.10.230	2.12.040
26. Member Contributions	78	2.10.090/41.04.445	2.12.060/41.04.445
27. Employer Contributions	78	41.50.150	41.50.150
28. State Contributions	78	2.10.090	2.12.060

Plan 1 Benefits

	LEOFF 1 Created: 3/1/70 Closed: 9/30/77 Chapter 41.26 RCW	PERS 1 Created: 10/1/47 Closed: 9/30/77 Chapter 41.40 RCW	TRS 1 Created: 3/1/38 Closed: 9/30/77 Chapter 41.32 RCW
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Design

1	Defined benefit retirement, disability and medical plan.	Defined benefit retirement and disability plan.	Same as PERS 1.
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Membership	41.26.030(3)(4)/41.26.040	41.40.010/41.40.023	41.32.010/41.32.032/41.32.240
2	<p>Mandatory for full-time, fully compensated:</p> <p>(1) Law enforcement officers (i.e., county sheriffs, deputy sheriffs who have passed a civil service examination, city police officers, town or deputy marshals, or certain directors of public safety);</p> <p>(2) Fire fighters (i.e., persons who have successfully passed a civil service examination, if required, for fire fighter or supervisory fire fighter); and</p> <p>(3) Specified commissioned officers enforcing the criminal laws of the state who were employed on or before September 30, 1977.</p> <p>Eligibility for membership generally requires meeting certain minimum medical, health, and age standards. Exclusions from the age standard are granted for police chiefs, fire chiefs, sheriffs, and certain directors of public safety.</p>	<p>Mandatory for all public employees in eligible positions; and appointive or elected officials first employed or elected before October 1, 1977 except for the following:</p> <p>(1) State employees who are:</p> <p>(a) Faculty and specified personnel of state colleges and universities, including community colleges;</p> <p>(b) Commissioned officers of the Washington State Patrol;</p> <p>(c) Institutional patients or inmates in state charitable, penal or correctional institutions;</p> <p>(d) Temporary employees, and those rendering professional services under contract;</p> <p>(e) "Members" of a state veterans' or soldiers' home.</p> <p>(2) Local government employees who are:</p> <p>(a) Elected officials and non-uniformed employees of the cities of Seattle, Spokane, and Tacoma. (Officials in office on or after April 1, 1971 may continue membership in PERS.)</p>	<p>(1) Initial membership requires a minimum of 90 days employment, or the equivalent of 90 days, in a fiscal year prior to October 1, 1977.</p> <p>(2) Mandatory membership for those employed in a full-time position as:</p> <p>(a) State, educational service or school district superintendents, and their assistants;</p> <p>(b) Any employee employed by a public school who is certificated by the Superintendent of Public Instruction; or</p> <p>(c) School doctors employed by a district who render instructional or educational service.</p> <p>(3) Optional membership is provided for any certificated employee who is employed less than full-time and has satisfied the initial 90 days employment requirement.</p>

Membership
(Continued)

2

- (b) Members of the Law Enforcement and Fire Fighters' Retirement System.
- (c) Members of the School Employees' Retirement System.
- (d) Members of the Teachers' Retirement System.
- (e) Employees of the Seattle Vocational Institute and the Trade and Convention Center.
- (f) In an state-approved apprenticeship program, employed by a local government and participating in a Taft-Hartley or union-sponsored retirement plan.

- (3) Non-US citizens working abroad as employees of a PERS agency.

Optional for:

- (a) Elected and appointed members and employees of the Legislature and Office of the Governor. (The policy of these branches of government is that all employees participate in PERS.)
- (b) City managers or chief administrative officers of cities or towns.
- (c) Chief administrative officers (CAOs) of a public utility or port district, and county CAOs who serve at the pleasure of an appointing authority.
- (d) Non-US citizens, living in-state, not eligible to participate in Social Security but otherwise eligible for membership.
- (e) US citizens residing abroad.

	LEOFF 1	PERS 1	TRS 1
Portability	41.26.195	41.54.010	41.54.010
3	Former LEOFF 1 members who become members of PERS, TRS or WSP may transfer their prior LEOFF 1 service to their current retirement system. Upon transfer, all ties with LEOFF 1 are severed, including eligibility for post-retirement medical benefits.	<p>Dual membership is possible if previous membership occurred in:</p> <ul style="list-style-type: none"> (1) PERS or TRS 1; (2) Any of the Plan 2/3 tiers; (3) The Washington State Patrol system; (4) The Seattle, Tacoma or Spokane city systems; or (5) The State-wide City Employees' Retirement System. 	Same provisions as PERS 1.
Vesting	41.26.090	41.40.180	41.32.470
4	Same provisions as PERS 1.	Established upon completion of five years of credited service.	Same provisions as PERS 1.
Terminated, Vested Benefit (Terminates, but maintains membership by not withdrawing contributions)	41.26.090	41.40.150(3)	41.32.480(2)
5	<p>At age-50, a terminated, vested member may receive a service retirement allowance.</p> <p>If a terminated, vested member dies prior to attaining age-50 and with less than 20 years of service, a refund of contributions and accrued interest is made to the surviving spouse, designated beneficiary or personal representative of the estate.</p> <p>If a terminated, vested member dies with at least 20 years of service, the benefit is as though the member had died in service.</p>	<ul style="list-style-type: none"> (1) A terminated, vested member may receive a service retirement allowance upon attaining age-65. (2) Upon attaining age-60, he or she may choose to receive a service retirement allowance actuarially reduced from age-65. (3) After 1/1/02, members who attain age 50 prior to separation, and have 20 or more years of service, may retire at age-60 with no reduction in benefits. Does not apply to members who have withdrawn all or part of their contributions. 	<p>A terminated, vested member may receive a service retirement if he or she has attained:</p> <ul style="list-style-type: none"> (1) Age-55 with at least 25 years of service; or (2) Age-60 with at least five years of service.

	LEOFF 1	PERS 1	TRS 1
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Credited Service

41.26.030(14)(a)

41.40.010(9)(a)/41.40.088

41.32.270

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- (1) A service credit month is earned for each calendar month of employment for which compensation is paid for 70 or more hours.
- (2) Service credit is also earned for:
 - (a) Periods of suspension up to 30 days; and
 - (b) Periods of disability leave if the member returns to duty.

- (1) **A service credit month** is earned for each calendar month of employment for members, other than elected or appointed officials, for which compensation is paid for **70 or more hours**.

(2) Members employed by:

- (a) The State Schools for the Blind;
- (b) The State Schools for the Deaf;
- (c) Institutions of Higher Learning; or
- (d) Community Colleges.

Earn 12 months of half time service credit if the member is employed:

- (a) 9 months of the 12 month period of September 1 through August 31 of the following year; and
- (b) Receive compensation for 630 hours of employment.

- (3) For those who do *not* meet the requirements of (2)(a) and (2)(b) above, a service credit month is earned for each calendar month of service.
- (4) A service credit month of service is earned for each calendar month of service by a member who is an elected or appointed official and receiving compensation.
- (5) For members receiving compensation for less than 70 hour per month, one-quarter service credit month of service is earned for each calendar month of employment in eligible positions.

- (1) **A service credit year** is earned upon the completion of a state fiscal year (i.e., July through the following June) when employed for at least **144 school days** in a full-time position.

- (2) A portion of a service credit year is earned at the completion of a state fiscal year when employed for less than 4/5ths of a school year but more than 20 days per school year.

- (3) A portion of a service credit year is given after the completion of a state fiscal year if:

- (a) Employment is less than 4/5ths of a school year; and
- (b) The member files an application for service, provides proof of teaching service, and submits the necessary contributions by June 30 of the following school year in which the part-time service was rendered.

	LEOFF 1	PERS 1	TRS 1
Elective Service		41.40.023	41.32.260
7	No provision in LEOFF I. General provisions for public employees, however, allow for continuation of contributions while in elective service.	<p>(1) A member with service based on election or appointment to an office established under Articles II (Legislative) or III (Executive) of the State Constitution or RCW 48.02.010 (Insurance Commissioner) may receive service credit for the period elected or appointed.</p> <p>(2) If a leave of absence is taken to serve in the legislature, the salary which would have been received for the position from which the leave was taken shall be considered as compensation if the employee's contribution is paid by the employee and the employer's contribution is made by either the employee or the employer.</p>	Active members elected or appointed to a state elective position may continue to earn service for their time in office by making contributions of 7.5% on their legislative salary.
Service Credit for Leave of Absence	41.26.197	41.40.175	41.32.267
8	Same provisions as PERS 1.	A member who is on paid leave of absence will receive service credit for such leave. This applies to a member, as authorized by a collective bargaining agreement, who serves as an elected official of a labor organization.	Same provisions as PERS 1.
Military Service Credit	41.26.190	41.40.170	41.32.260
9	Members whose service is <i>interrupted</i> receive up to five years of military service.	<p>(1) Members whose service is <i>interrupted</i> receive up to five years for military service.</p> <p>(2) A member with 25 service credit years may receive up to five service credit years for service as a veteran (as defined by RCW 41.04.005) performed <i>prior to</i> membership.</p>	Members whose service is interrupted receive up to five years for military service upon payment of contributions. In time of war, the five-year limitation may be exceeded.

	LEOFF 1	PERS 1	TRS 1
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**Withdrawal of
Employee
Contributions**

10

41.26.170

Upon termination of employment for reasons other than retirement or disability a member may sever relationship with the system by withdrawing his or her contributions, plus accrued interest thereon.

41.40.260/41.40.191

- (1) Upon termination of employment for reasons other than retirement or disability a member may sever relationship with the system by withdrawing all or part of his or her contributions, plus the accrued interest thereon.
- (2) Members with 30 YOS may choose to freeze the amount of their retirement benefit and have future member contributions returned to them at retirement as a lump sum payment. Member contributions earn 7.5% annually until withdrawn.

41.32.510/41.32.4986

- (1) Upon termination of employment for reasons other than retirement or disability a member may sever relationship with the system by withdrawing his or her contributions, plus accrued interest thereon.
- (2) Members with 30 YOS may choose to freeze the amount of their retirement benefit and have future member contributions returned to them at retirement as a lump sum payment. Member contributions earn 7.5% annually until withdrawn.
- (3) At retirement, a member may withdraw all or a part of his or her contributions, plus the accrued interest thereon.

**Restoration/
Purchase of
Service Credit**

11

41.26.170/41.50.165

Contributions restored within 5 years of re-entry, member repays the withdrawn amount.

Contributions restored after 5 years, member pays full actuarial value of restored service.

41.40.150(2)/41.50.165

- (1) **Contributions restored within 5 years** of re-entry, member repay the withdrawn amount, plus interest as determined by DRS director.
- Contributions restored after 5 years**, member pays full actuarial value of restored service.
- (2) **Restorations based on dual membership**, must be made within two years of establishing dual membership, or prior to retirement, whichever occurs first.

41.32.065/41.32.067/41.32.310/41.50.165

Same as PERS 1, except members may purchase out-of-state teaching service credit.

	LEOFF 1	PERS 1	TRS 1
Compensation	41.26.030(13)(a)	41.40.010(8)	41.32.010(10)
12	The basic monthly rate of salary or wages, including longevity pay but not including overtime earnings or special salary or wages. (Defined as <i>basic salary</i> .)	All salaries and wages, including maintenance compensation and compensation for service in stand-by status.	All salaries and wages, including maintenance compensation paid for personal services rendered during the state fiscal year.
Computation of AFC	41.26.030(12)(a)	41.40.010(17)/41.54.030	41.32.497/41.32.498/41.54.030
13	The basic salary attached to the position or rank at retirement if held for at least 12 months. If not, it is the average of the greatest basic salaries paid over 24 consecutive credited months in the last 10 credit years. (Defined as <i>final average salary (FAS)</i> rather than AFC.)	<p>(1) The annual average of the greatest compensation earnable during a 24 consecutive service credit month period.</p> <p>(2) If a dual member, the compensation earnable may be derived from the base salary of any system in which dual membership is held.</p>	<p>(1) The annual average earnable compensation for the two highest consecutive fiscal years.</p> <p>Members teaching in an extended school year program may use the two consecutive extended school years in lieu of fiscal years.</p> <p>(2) If a dual member, the compensation earnable may be derived from the base salary of any system in which dual membership is held.</p> <p>(3) If a member was employed in an instructional position less than full-time under a written contract for which the member received service credit of less than one service credit year in both of the years used to determine the average salary, earnable compensation then means the compensation the member would have received in the same position if employed on a full-time basis for the same contract period.</p>

	LEOFF 1	PERS 1	TRS 1
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<div>Eligibility for Normal Retirement</div> <div>14</div>	<div>41.26.090</div> <div>Five years of service and attainment of age-50.</div>	<div>41.40.180</div> <div>(1) Fulfillment of one of the following:</div> <div>(a) Five years of service and attainment of age-60;</div> <div>(b) 25 years of service and attainment of age-55; or</div> <div>(c) 30 years of service.</div> <div>(2) Combined service from each of the systems in which dual membership is held may be used solely for determining eligibility for retirement.</div>	<div>41.32.480</div> <div>Same provisions as PERS 1.</div>
<div>Eligibility for Early Retirement</div> <div>15</div>	<div>No provision.</div>	<div>No provision.</div>	<div>No provision.</div>

	LEOFF 1	PERS 1	TRS 1
Service Retirement Allowance	41.26.100	41.40.185/41.40.190/41.40.330(2)	41.32.350/41.32.497/41.32.498
16	<ul style="list-style-type: none"> (1) 1% of final average salary (FAS) for each year if the member has at least five years of service, but less than ten years of service. (2) 1.5% of FAS for each service credit year if the member has at least ten, but less than 20 years of service. (3) 2% of FAS for each year of service if the member has 20 or more years of service. (4) The benefit <i>shall not</i> exceed 60% of FAS if the member was first employed on or after February 19, 1974. 	<ul style="list-style-type: none"> (1) 2% of average final compensation (AFC) for each year of service to a maximum of 60%. (2) A member elected under either Articles II (Legislature) or III (Executive) of the State Constitution, or RCW 48.02.010 (Insurance Commissioner) shall use 3% of average final compensation for each year of such elective service. (3) If the member has service prior to April 25, 1973, the retirement allowance is the greater of: <ul style="list-style-type: none"> (a) The sum of a 1% pension, \$100, and an annuity funded by member contributions; or (b) 2% of AFC for each service credit year to a maximum of 60%. (4) Service earned prior to October 1, 1947, is factored by 1.42857% of AFC. 	<ul style="list-style-type: none"> (1) 2% of average final compensation (AFC) for each year to a maximum of 60%. (2) A member may purchase additional annuity benefits upon a lump sum deposit with DRS, plus an administrative fee. (3) If the member has service prior to April 25, 1973, the retirement allowance is the greater of: <ul style="list-style-type: none"> (a) The sum of a 1% pension, \$100, and an annuity funded by member contributions; or (b) 2% of AFC for each service credit year to a maximum of 60%.

		LEOFF 1	PERS 1	TRS 1
Minimum Benefit			41.40.1984	41.32.4851
17	No provision.	<p>As of 7/1/04, \$32.97 per month, per year of service.</p> <p>Members with at least 25 years of service, who have been retired at least 20 years receive the greater of:</p> <p>(1) \$1,000 per month (before optional payment of reductions). Benefit is not adjusted by the annual increase amount, or</p> <p>(2) The annually adjusted minimum benefit amount per month, per year of service. The minimum benefit may also be increased by biennial gain-sharing distributions. See the gain-sharing section for more information.</p> <p>Disability retirees are not eligible for the minimum.</p> <p>For elected officials with less than \$750 in accumulated contributions and interest at retirement, \$10 per month per year of service.</p>	<p>As of 7/1/04, \$32.97 per month, per year of service.</p> <p>Members with at least 25 years of service, who have been retired at least 20 years receive the greater of:</p> <p>(1) \$1,000 per month (before optional payment of reductions). Benefit is not adjusted by the annual increase amount, or</p> <p>(2) The annually adjusted minimum benefit amount per month, per year of service. The minimum benefit may also be increased by biennial gain-sharing distributions. See the gain-sharing section for more information.</p>	
Cost-of-Living Adjustments		41.26.240/41.26.250	41.40.197	41.32.489
18	Each April 1st, after one year of retirement, an annual adjustment is made to the benefit based upon the percentage difference between the CPI-Seattle, for the previous year and the CPI-Seattle, for the year prior to retirement.	<p>As of July 1, 2004, annual increase is \$1.21 per month, per year of service. This amount increases by 3% annually. COLA is payable to retirees age-66 or older and retired at least one year; and retirees eligible for the minimum benefit.</p> <p>The annual increase may be increased by biennial gain-sharing distributions. See the gain-sharing section for more information.</p>	Same provisions as PERS 1.	
Plan 1		Summary of Benefits		Page 19

	LEOFF 1	PERS 1	TRS 1
Retirement for Disability	41.26.130	41.40.210/41.40.220/41.40.235	41.32.540/41.32.550
19	<p>Duty/Non-Duty: With the approval of the local disability board and the Director, DRS, a member who has incurred a disability rendering him or her unable to continue service in the position or rank held at that time, shall receive an allowance of 50% of FAS, plus an additional five percent of FAS for each dependent child, not to exceed a maximum benefit of 60% of FAS.</p>	<p>Duty: From the time of disability to age-60, a member who becomes totally and permanently incapacitated as the result of an accident in the actual performance of duties, or qualifies to receive workmen's compensation benefits (Industrial Insurance) due to an occupational disease, shall receive an allowance of 2/3 AFC or \$4,200 per year, whichever is the lesser. At age-60, the benefit converts to a service retirement allowance in which service credit is granted for the period from the date of disability to the date of conversion to the service retirement. This benefit is offset by worker's compensation.</p> <p>If a disabled member becomes gainfully employed and the compensation received is less than the compensation received at the time of becoming disabled (adjusted by the CPI-Seattle), the disability benefit is to continue, but it is reduced so the sum of the benefit and the new compensation are equal to the compensation received at the time of disablement.</p> <p>Non-duty: If the member has five or more years of service, the retirement allowance is reduced 2% for each year the member is under age-55. The benefit is offset by worker's compensation, if any.</p>	<p>Temporary: An allowance of \$180 per month is payable to a member who is mentally or physically incapacitated for the further performance of duty for up to two years.</p> <p>Permanent: A member who is employed either full-time or half-time under an annual contract but becomes totally and permanently incapacitated for duty is eligible for a benefit of:</p> <ul style="list-style-type: none"> (1) A service retirement allowance, if eligible; or (2) A disability retirement allowance, if eligible; or (3) A refund of the member's contributions, plus accrued interest thereon.
Disability Leave	41.26.120/41.26.125	41.40.038	
20	As ordered by the local disability board, the employer provides up to six months of leave at full pay.	Provisions made for receiving service credit, up to 12 consecutive months, if duty disabled.	No provision.

	LEOFF 1	PERS 1	TRS 1
Survivor Benefits - Active Members	41.26.160/41.26.161	41.40.0932/41.40.270	41.32.053/41.32.520/41.32.522/41.32.523
21	<p>(1) The surviving spouse receives an allowance equal to what the member would have received at age-50 (50% of AFC), plus five percent additional for each child, with the maximum benefit not to exceed 60%.</p> <p>If there is no surviving spouse but there are children, the first surviving child receives an allowance equal to 30% of FAS, and an additional 10% for each additional child to a maximum of 60%. The payments will be prorated among them.</p> <p>(2) If member dies in service or from injuries sustained in the commission of duties - survivors receive a \$150,000 lump sum payment.</p>	<p>(1) If the decedent had less than ten years of service and was not eligible to retire, a refund of his or her contributions, plus interest is made to a designated beneficiary, organization, trust, or the member's estate.</p> <p>(2) If the decedent was eligible for retirement and:</p> <p>(a) Died in service or on an authorized leave of absence not exceeding 120 days; or</p> <p>(b) Had ten or more years of service, the beneficiary may elect to receive a joint and 100% survivor benefit, actuarially reduced based on when the member would have been first eligible to retire.</p> <p>The benefit of a member killed in the course of employment, as determined by the department of labor and industries, is not subject to actuarial reduction for early retirement.</p> <p>(3) If a member dies in service or from injuries sustained in the commission of duties - survivors receive a \$150,000 lump sum payment.</p>	<p>(1) If the decedent had less than ten years of service and was not eligible to retire, a refund of his or her contributions, plus interest is made to a designated beneficiary, organization, trust, or the member's estate.</p> <p>(2) If the decedent had ten or more years of service or was eligible to retire, the surviving spouse, or eligible beneficiary, may elect to receive a joint and 100% survivor benefit, actuarially reduced from when the member would have been first eligible to retire.</p> <p>The benefit of a member killed in the course of employment, as determined by the department of labor and industries, is not subject to actuarial reduction for early retirement.</p> <p>(3) If the decedent had 15 or more years of service, the surviving spouse without children may elect to receive \$50 per month beginning at age-60.</p> <p>(4) A \$600 death benefit is provided to the member's estate or nominated person(s) if the decedent:</p> <p>(a) Was employed full-time in the fiscal year in which his or her death occurred; or</p> <p>(b) Had applied for retirement or disability retirement and died before the first payment became due; or</p>

	LEOFF 1	PERS 1	TRS 1
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**Survivor Benefits -
Active Members**
(Continued)

21

(c) Worked 50 days during the fiscal year in which his or her death occurred and was employed full-time, but was not employed full-time in the previous year.

(5) If the conditions of (4) are not met, a benefit of \$400 is provided to the estate or nominated person(s).

(6) If a member dies in service or from injuries sustained in the course of employment - survivors receive a \$150,000 lump sum payment.

**Survivor Benefits -
Retired Members**

41.26.160/41.26.161

41.40.188

41.32.530/41.32.523

22

The surviving spouse, if married one year to the member prior to retirement, receives the same benefit as did the member, including the allowance for children. If there is no surviving spouse but there are children, the first surviving child receives an allowance equal to 30% of FAS, and an additional 10% for each additional child to a maximum of 60%. The payments will be prorated among them.

(1) At the time of retirement, and with spousal consent, the member may choose a joint and survivor option of 100%, 50%, or any other options promulgated by the DRS. If spousal consent is not provided, the DRS will provide a benefit as if the joint and 50% survivor was chosen.

(2) If a member does not designate a survivor at retirement and subsequently marries, they have one year to designate their spouse as their survivor.

(3) If a retiree designates a non-spouse as their survivor, they may later remove the survivor designation and have future benefits actuarially adjusted.

Same provisions as PERS 1 except in addition:

(4) A benefit of \$400 is provided to the estate or nominated person(s) if the member was inactive or retired at the time of death and had ten or more years of service.

Medical Services

41.26.150

23

Necessary medical services are provided *by the employer* to active and retired members.

No provision.

No provision.

	LEOFF 1	PERS 1	TRS 1
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**Gain-Sharing
Payments**

24

No provision.

Chapter 41.31 RCW

Payments are based on biennial calculations of investment returns. When average returns for the previous four years exceed 10%, one half of the amount in excess of 10% funds a permanent increase in Uniform COLA.

Chapter 41.31 RCW

Same provisions as PERS 1.

**Post-Retirement
Employment**

25

41.26.100

Members may work for any non-LEOFF employer without a reduction of benefits.

41.40.037

If retiree enters employment sooner than one calendar month after accrual date, monthly allowance is reduced 5.5% for every **eight hours** worked, to maximum of **160 hours** per month.

- (1) After retiree has been separated from employment for one calendar month, retiree may work up to **867 hours** per calendar year in an eligible position; or
- (2) After retiree has been separated from employment for three calendar months, retiree may work; up to **1,500 hours** in an eligible position if certain conditions are met.

Retirees may work beyond 867 hours per year until their lifetime cumulative hours worked beyond that threshold exceeds 1,900 hours.

Retirees may work without limit in ineligible positions. Such employment may not require membership in the retirement systems of the state or those of Seattle, Spokane or Tacoma.

41.32.570

If retiree enters employment sooner than one calendar month after accrual date, monthly allowance is reduced 5.5% for every **seven hours** worked, to maximum of **140 hours** per month.

After a retiree has been separated from employment for one calendar month, the retiree may work for a school district up to **1,500 hours** each school year without a reduction or suspension of pension.

Retirees may be employed in any non-teaching public employment which does not require membership in the retirement systems of the state, Seattle, Spokane or Tacoma.

	LEOFF 1	PERS 1	TRS 1
Member Contributions	41.26.080/41.04.445	41.40.330/41.04.445	41.32.263/41.32.350/41.04.445
26	<ul style="list-style-type: none"> (1) 6% of compensation (i.e., basic salary). (2) Contributions are required only when the plan's most recent actuarial valuation indicates an unfunded liability exists. (3) Employee contributions <i>may</i> be "picked-up" for <i>all</i> employees of an employer under Section 414(h) of the IRS Code. 	<ul style="list-style-type: none"> (1) 6% of salaries or wages received for personal services rendered by members other than certain elected officials noted in (2). (2) 7.5% of the compensation earnable received either while on a leave of absence serving as an elected or appointed legislator or elected or appointed to a state elective office. (3) Employee contributions <i>may</i> be "picked-up" for <i>all</i> employees of an employer under Section 414(h) of the IRS Code. 	Same provisions as PERS 1.
Employer Contributions	41.26.080/41.50.150	41.45.060/41.50.150	41.45.060/41.50.150
27	<ul style="list-style-type: none"> (1) 6% of compensation (i.e, basic salary). (2) Contributions are required only when the plan's most recent valuation indicates an unfunded liability exists. (3) The present value of the total estimated cost of all benefits attributed to excess compensation. <p>Excess compensation includes any payment on which the calculation of the retirement allowance is made, except basic salary.</p>	<p>The rate specified by the director of DRS which includes:</p> <ul style="list-style-type: none"> (1) Payments to amortize any unfunded liability of the Plan by June 30, 2024. (2) The estimated cost of all future benefits attributed to excess compensation. <p>Excess compensation is any payment included in the calculation of the retirement allowance except regular salary and overtime. Excess compensation includes cash-outs for annual leave in excess of 30 days; cash-outs of other forms of leave; payments for personal expenses or transportation allowances; severance payments; and over time payments that exceed twice the regular rate of pay.</p>	<ul style="list-style-type: none"> (1) The rate specified by the Director of DRS, which shall include provision for the amortization of the unfunded liability by June 30, 2024. (2) The estimated cost of all future benefits attributed to excess compensation. <p>Excess compensation is any payment included in the calculation of the retirement allowance except regular salary and overtime. Excess compensation includes cash-outs for annual leave in excess of 30 days; cash-outs of other forms of leave; payments for personal expenses or transportation allowances; severance payments; and over time payments that exceed twice the regular rate of pay.</p>

	LEOFF 1	PERS 1	TRS 1
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State Contributions	41.45.050/41.45.060	41.45.060	41.45.060
28	The required costs of the system in excess of those met by the contributions of the employee and employer. This includes the amortization of the unfunded liability by June 30, 2024.	No additional funding required except the unfunded liability is to be amortized by June 30, 2024.	Same as PERS 1.

Notes

Plan 2 Benefits

	LEOFF 2 Created: 10/1/77 Chapter 41.26 RCW	PERS 2 Created: 10/1/77 Chapter 41.40 RCW	SERS/TRS 2 SERS Created/Closed: 9/1/00 Chapter 41.35 RCW TRS Created/Closed: 10/1/77-6/30/96 Chapter 41.32 RCW
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Design

1 Same as PERS 2. Defined benefit retirement plan. Same as PERS 2.

Membership 41.26.030/41.26.040 41.40.010/41.40.023 41.32.010(29)/41.32.780

- 2
- Mandatory** for persons who were first employed on or after October 1, 1977, in full-time, fully compensated positions:
- (1) Law enforcement officers and fire fighters commissioned by a city, town, county, district, municipal corporation, or governing body of any other general authority law enforcement agency (ports), to enforce the criminal laws of the state; and
 - (2) WSU Fire fighters (effective June 6, 1996).
 - (3) Department of Fish and Wildlife Enforcement Officers (effective July 26, 2003.)
- Mandatory** for all public employees in eligible positions; and appointive or elected officials first employed or elected after September 30, 1977 *except for the following*:
- (1) State employees who are:
 - (a) Faculty and specified personnel of state colleges and universities, including community colleges;
 - (b) Commissioned officers of the Washington State Patrol;
 - (c) Institutional patients or inmates in state charitable, penal or correctional institutions;
 - (d) Temporary employees, and those rendering professional services under contract;
 - (e) "Members" of a state veterans' or soldiers' home.
 - (2) Local government employees who are:
 - (a) Elected officials and non-uniformed employees of the cities of Seattle, Spokane, and Tacoma. (Officials in office on or after April 1, 1971 may continue membership in PERS.)
- TRS 2 Mandatory** for persons first employed in eligible positions on or after October 1, 1977, who are:
- (1) Teachers certificated by the Superintendent of Public Instruction (SPI) and employed by the State or educational service districts;
 - (2) School district superintendents and their assistants;
 - (3) School doctors employed by a district who render instructional or educational service.
- TRS Optional** membership is provided for any certified employee who is employed less than full time and has satisfied the initial 90 days employment requirement.
- 41.35.030**
- SERS 2 Mandatory** for classified employees of school districts and employees of educational service districts whose membership was transferred from PERS 2 as of September 1, 2000.
- Employees first hired on or after 9/1/00 became members of SERS 3.

	LEOFF 2	PERS 2	SERS/TRS 2
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<p>Membership <i>(Continued)</i></p> <p>2</p>	<p>(b) Members of the Law Enforcement and Fire Fighters' Retirement System.</p> <p>(c) Members of the School Employees' Retirement System.</p> <p>(d) Members of the Teachers' Retirement System.</p> <p>(e) Employees of the Seattle Vocational Institute and the Trade and Convention Center.</p> <p>(f) In a state-approved apprenticeship program, or a resident apprenticeship training program, if the employee is participating in a Taft-Hartley or union-sponsored retirement plan.</p> <p>(3) Non-US citizens working abroad as employees of a PERS agencies.</p> <p>Optional for:</p> <p>(a) Elected and appointed members and employees of the Legislature and Office of the Governor. (The policy of these branches of government is that all employees participate in PERS.)</p> <p>(b) City managers or chief administrative officers of cities or towns.</p> <p>(c) Chief administrative officers (CAO) of a public utility or port district, and county CAOs who serve at the pleasure of an appointing authority.</p> <p>(d) Non-US citizens, living in-state, not eligible to participate in Social Security but otherwise eligible for membership.</p> <p>(e) US citizens residing abroad.</p>		
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	LEOFF 2	PERS 2	SERS/TRS 2
Portability	41.54 RCW	41.54 RCW	41.54 RCW
3	Same provisions as PERS 2.	Dual membership is possible if previous membership occurred in: <ul style="list-style-type: none"> (1) PERS or TRS 1; (2) Any of the Plan 2/3 tiers; (3) The Washington State Patrol system; (4) The Seattle, Tacoma or Spokane city systems; or (5) The State-wide City Employees' Retirement System. 	Same provisions as PERS 2.
Vesting	41.26.530	41.40.720	41.32.815/41.35.480
4	Same provisions as PERS 2.	Established upon completion of five years of credited service.	Same provisions as PERS 2.
Terminated, Vested Benefit <i>(Terminates but maintains membership by not withdrawing contributions)</i>	41.26.490/41.26.530	41.40.630	41.32.795/41.35.420/41.35.450
5	<ul style="list-style-type: none"> (1) A terminated, vested member may receive a service retirement allowance upon attaining age-53. (2) A terminated, vested member, after completing 20 or more years of service, may receive a service retirement allowance increased by 3% a year from the date of termination to the date the allowance commences. 	A terminated, vested member may receive an unreduced service retirement allowance upon attaining age-65.	Same provisions as PERS 2.

	LEOFF 2	PERS 2	SERS/TRS 2
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Credited Service
41.26.030(14)(b)
41.40.010(9)(b)/41.40.088
**41.32.010(26)(b)/41.35.010(7)/
41.35.033/41.35.180**
6

- (1) A service credit month is earned for all calendar months of employment for which compensation is received for 90 or more hours.
- (2) One-half service credit month is earned for all calendar-months of employment for which compensation is paid for at least 70 hours but less than 90 hours.
- (3) One-quarter service credit month is earned for all calendar months of employment for which basic salary is received by the member for less than 70 hours.

- (1) Compensation earned in an eligible position or positions for:
 - (a) 90 or more hours in any calendar month shall constitute one month service credit.
 - (b) At least 70, but less than 90 hours shall constitute one half service credit month.
 - (c) Less than 70 hours of service shall constitute one quarter service credit month.
- (2) Members employed by the state school for the blind, the state school for the deaf, institutions of higher learning or community colleges earn service on the same basis as TRS 2 members. (See right column.)
- (3) No more than one month of service credit can be earned in a calendar month from all positions.
- (4) Time spent in stand-by status, whether compensated or not, is not service.
- (5) Service in state elected positions is considered full-time service.
- (6) Up to two months service credit may be earned for unused sick leave solely for the purpose of determining retirement eligibility.

- (1) Twelve months of service credit are earned if the member is employed in:
 - (a) An eligible position as a substitute teacher or substitute employee;
 - (b) Works nine months during the school year (September to August of the following year); and
 - (c) Is compensated for at least 810 hours during that period.
- (2) Twelve months of half-time service credit are earned if the member meets requirements (A) and (B) above, but is compensated for between 630 and 810 hours.
- (3) Members employed in an eligible position, or as a substitute teacher or employee, who do not qualify under (1) or (2) above:
 - (a) 90 or more hours in any calendar month shall constitute one month service credit.
 - (b) At least 70, but less than 90 hours shall constitute one half service credit month.
 - (c) Less than 70 hours of service shall constitute one quarter service credit month.

	LEOFF 2	PERS 2	SERS/TRS 2
Elective Service	41.26.030(14)(b)	41.40.010(9)(b)(i)	41.32.010(26)(b)(iv)/41.35.030
7	Same provisions as PERS 2.	Active members elected or appointed to an elective position may continue to earn service for their time in office by making the required member contributions.	Same provisions as PERS 2.
Service Credit for Leave of Absence	41.26.520	41.40.710	41.32.810/41.35.470
8	<p>Same provisions as PERS 2 except in addition:</p> <p>(3) Members may earn part-time service credit for part-time leaves of absence.</p> <p>(4) A member who qualifies for workers' compensation payments and disability leave supplement may also qualify for service credit up to six months leave of absence. This is not accrued against the two-year maximum limitation.</p>	<p>(1) A member who is on paid leave of absence will receive service credit for such leave for up to two years. This applies to a member, as authorized by a collective bargaining agreement, who serves as an elected official of a labor organization.</p> <p>(2) A member who takes an unpaid authorized leave of absence, upon return to service, may make the member, employer, and state contributions with interest, and thereby receive up to two service credit years in a working career.</p>	Same provisions as PERS 2.
Military Service Credit	41.26.520	41.40.710	41.32.810/41.35.470
9	Same provisions as PERS 2.	A member may receive credit for up to five years of interruptive service in the military by paying the necessary employee contributions.	Same provisions as PERS 2.

	LEOFF 2	PERS 2	SERS/TRS 2
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**Withdrawal of
Employee
Contributions**

10

41.26.540

- (1) If less than ten years of service has been completed, the member may sever relationship with the system by withdrawing his or her employee contributions, plus accrued interest thereon.
- (2) If the member has completed ten or more years of service, the member may request a refund of 150% of contributions, plus accrued interest thereon, and thereby sever relationship with the system.

41.40.730

Upon termination of employment a member may sever relationship with the system by withdrawing his or her employee contributions, plus accrued interest thereon.

41.32.820/41.35.490

Same provisions as PERS 2.

**Restoration/
Purchase of
Service Credit**

11

41.26.550/41.50.165

- (1) **Contributions restored within 5 years** of re-entry, member repay the withdrawn amount, plus interest as determined by DRS director.
- Contributions restored after 5 years**, member pays full actuarial value of restored service.

41.40.740/41.50.165(2)/41.40.630

- (1) **Contributions restored within 5 years** of re-entry, member repay the withdrawn amount, plus interest as determined by DRS director.
- Contributions restored after 5 years**, member pays full actuarial value of restored service.
- (2) Members who are eligible for early retirement or alternate early retirement may **purchase** up to 5 years of service credit at the actuarial cost of the increase to the member's benefit. Such service is not membership service and may not be used to qualify for early retirement or the 30-year/3% early retirement reduction benefit.

41.32.825/41.35.500/41.50.165

SERS same provisions as PERS 2.
TRS same provisions as LEOFF 2.

	LEOFF 2	PERS 2	SERS/TRS 2
Compensation	41.26.030(13)(a)	41.40.010(8)(b)	41.32.010(10)(b)/41.35.010(6)
12	<p>Defined as "basic salary".</p> <p>Includes salaries and wages earned during a payroll period for personal services, including overtime payments and deferred compensation. Excludes lump sum payments for sick, vacation and annual leave; or any form of severance pay.</p>	Salaries and wages earned during a payroll period for personal services, including overtime payments, deferred compensation, assault pay and standby pay. Excludes non-money maintenance compensation; lump sum payments for sick, vacation, and annual leave, or any form of severance pay.	Same provisions as PERS 2.
Computation of AFC	41.26.030(12)(b)/41.26.057	41.40.010(17)(b)/41.40.103	41.32.010(30)/41.32.063/ 41.35.010(14)/41.35.200
13	Same provisions as PERS 2.	<p>(1) The average compensation earnable for the highest 60 consecutive service credit months (five years).</p> <p>(2) For members hired after 1/1/96, AFC may not exceed limits set by the IRS for qualified public systems.</p>	Same provisions as PERS 2.
Eligibility for Normal Retirement	41.26.430/41.54.030	41.40.630/41.54.030	41.32.765/41.35.420/41.54.030
14	<p>Five service credit years of service and attainment of age-53.</p> <p>Combined service from each of the systems in which dual membership is held may be used solely for determining eligibility for retirement.</p>	<p>Five service credit years of service and attainment of age-65.</p> <p>Combined service from each of the systems in which dual membership is held may be used solely for determining eligibility for retirement.</p>	Same provisions as PERS 2.
Eligibility for Early Retirement	Attainment of age-50 and completion of 20 years of service, with the benefit reduced 3% a year from age-53.	<p>(1) Attainment of age-55 and completion of 20 years of service, with the benefit actuarially reduced from age-65.</p> <p>(2) A member who has attained age-55 and completed 30 years of service is eligible for a benefit that is reduced 3% a year from age-65.</p>	Same provisions as PERS 2.
15			

	LEOFF 2	PERS 2	SERS/TRS 2
Service Retirement Allowance	41.26.420	41.40.620	41.32.760/41.35.400
16	Same provisions as PERS 2.	2% of AFC for each service credit year of service without limit.	Same provisions as PERS 2.
Minimum Benefit	No provision.	No provision.	No provision.
17			
Cost-of-Living Adjustments	41.26.440	41.40.640	41.32.770/41.35.210
18	Same provisions as PERS 2.	Each July 1st, after one year of retirement, the allowance is adjusted to a maximum of 3%, based on the CPI-Seattle.	Same provisions as PERS 2.
Retirement for Disability	41.26.470	41.40.670	41.32.790/41.35.440
19	<p>(1) A member who becomes totally incapacitated for continued employment shall receive an allowance based upon service credit years and actuarially reduced from age-53.</p> <p>(2) A member who becomes disabled in the line of duty on or after 1/1/01 is eligible to receive either:</p> <p>(a) A refund of 150% of the member's accumulated contributions; or</p> <p>(b) A minimum benefit equal to 10% of the member's AFC, plus an additional allowance of 2% of AFC for each year of service beyond 5 years. Ten percent minimum is tax-exempt. Additional allowance is actuarially reduced from age-53. Total minimum benefit cannot exceed the benefit provided in (1) above.</p>	A member who becomes totally incapacitated for continued employment shall receive an allowance based upon years of service and actuarially reduced from age-65 .	Same provisions as PERS 2.

	LEOFF 2	PERS 2	SERS/TRS 2
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Disability Leave

20	No provision. (See Service Credit for provision regarding leave of absence.)	No provision.	No provision.
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Survivor Benefits -
Active Members

41.26.510/41.26.048

41.40.0931/41.40.0932/41.40.700

41.32.053/41.32.805/41.35.460/41.35.115

21	<p>(1) Same provision as PERS 2.</p> <p>(2) If the decedent had at least ten years of service or was eligible to retire, the surviving spouse, or child(ren) may elect either a refund of 150% of contributions, plus accrued interest, or a joint and 100% survivor benefit actuarially reduced from the age the member would first have been eligible to retire. The benefit is payable for the life of the surviving spouse or to the age of majority for the child(ren).</p> <p>The benefit of a member killed in the course of employment, as determined by the department of labor and industries is not subject to actuarial reduction for early retirement</p> <p>(3) Same provision as PERS 2.</p>	<p>(1) If the decedent was not eligible to retire and had less than ten years of service, a refund of member contributions, plus interest, is made to a designated beneficiary; trust; organization; or the member's estate.</p> <p>(2) If the decedent had at least ten years of service or was eligible to retire, the surviving spouse, or child(ren) may elect either a refund of contributions, plus accrued interest, or a joint and 100% survivor benefit actuarially reduced from the age the member would first have been eligible to retire. The benefit is payable for the life of the surviving spouse or to the age of majority for the child(ren).</p> <p>The benefit of a member killed in the course of employment, as determined by the department of labor and industries is not subject to actuarial reduction for early retirement.</p> <p>(3) If member dies in service or from injuries sustained in the commission of duties - survivors receive a \$150,000 lump sum payment.</p>	Same provisions as PERS 2.
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	LEOFF 2	PERS 2	SERS/TRS 2
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**Survivor Benefits -
Retired Members**

41.26.460

41.40.660

41.32.785/41.35.220

22

Same provisions as PERS 2.

- (1) At the time of retirement for service or disability, the member, with the written consent of the member's spouse, may choose among survivor options adopted by DRS. If spousal consent is not provided, DRS will provide a benefit as if a joint and 50% option was taken.

Same provisions as PERS 2.

- (2) If a member does not designate a survivor at retirement and subsequently marries, they have one year to designate their spouse as their survivor.

- (3) If a retiree designates a non-spouse as their survivor, they may later remove the survivor designation and have future benefits actuarially adjusted.

Medical Services

23

No provision.

No provision.

No provision.

**Gain-Sharing
Payments**

24

No provision.

No provision.

No provision.

	LEOFF 2	PERS 2	SERS/TRS 2
Post-Retirement Employment	41.26.500	41.40.037/41.40.690	41.32.800/41.32.802/41.35.060
25	Retirement benefits will be suspended if employed in an eligible position within LEOFF, TRS, PERS or SERS. Retirees are permitted to work in any ineligible position within these systems.	If retiree enters eligible employment in PERS, SERS, TRS or LEOFF sooner than one month after accrual date, monthly allowance is reduced 5.5% for every eight hours worked to maximum of 160 hours per month. After retiree has been separated from employment for one month retiree may work up to 867 hours per calendar year, without suspension of benefit.	TRS 2 If retiree enters eligible employment in PERS, SERS, TRS or LEOFF sooner than one month after accrual date, monthly allowance is reduced 5.5% for every seven hours worked to maximum of 140 hours per month. After retiree has been separated from employment for one month retiree may work up to 867 hours per calendar year, without suspension of benefit. SERS 2 same as PERS 2.
Member Contributions	41.04.445/41.45.061(5)	41.04.445/41.45.061(4)	41.04.445/41.35.430/41.45.061(1)(2)
26	(1) Half the cost of member benefits. (2) Same as PERS 2, (2).	(1) Member contributions are equal to the employers' Plan 2/3 contribution rate, except Plan 2 members do not pay the cost of any gain-sharing distributions. (2) The employee contributions may be "picked-up" for all employees under Section 414(h) of the IRS code at the time of retirement.	Same provisions as PERS 2.
Employer Contributions	41.26.450/41.50.150	41.40.048/41.45.060/41.50.150	41.32.035/41.35.430/41.45.060/41.50.150
27	(1) Employers pay 30% of the cost of LEOFF 2 . (2) Same provisions as PERS 2, (2). (3) Institutions of higher learning and eligible port district employers pay 50% of the cost of LEOFF 2.	(1) Employers pay half of the rate of Plan 2/3 member benefits and the full costs of any gain-sharing. (2) The present value of the total estimated cost of all present and future benefits attributed to excess compensation shall be paid by the employer upon billing from DRS.	Same provisions as PERS 2.
State Contributions	41.26.450		
28	Except for those members employed by institutions of higher learning and port districts, 20% of the cost of LEOFF 2.	No additional funding required.	No additional funding required.

Plan 3 Benefits

	PERS 3 Created: 3/1/02 Chapter 41.40 & 41.34 RCW	SERS 3 Created: 9/1/00 Chapter 41.35 & 41.34 RCW	TRS 3 Created: 7/1/95 Chapter 41.32 & 41.34 RCW
Design 1	Hybrid plan with defined benefit and defined contribution components.	Same provisions as PERS 3.	Same provisions as PERS 3.
Membership 2	41.40.023 Optional for all public employees in eligible positions: and appointive or elected officials first employed or elected on or after March 1, 2002, except those excluded in PERS 1 & 2 (see page 10.). New employees or officials may choose to enter PERS Plan 2 or Plan 3. Plan 2 members in eligible positions have the option to transfer membership to Plan 3 annually.	41.35.030 Mandatory for regularly compensated classified employees who are first hired on or after September 1, 2000 and employed by either a school district or an educational service district. Optional: Plan 2 members who are currently employed in eligible positions may choose to transfer membership to Plan 3 during annual transfer windows.	41.32.032/ 41.32.835 Mandatory for those first employed in eligible positions on or after July 1, 1996, who are: (1) Certificated by the Superintendent of Public Instruction (SPI) and employed by the state or an educational service district; (2) School district superintendents and their assistants; (3) School district doctors who render instructional or educational service. Optional: Same provisions as PERS 3.
Portability 3	RCW 41.54 Dual membership is possible if previous membership occurred in: (1) PERS or TRS 1; (2) Any of the Plan 2/3 tiers; (3) The Washington State Patrol system; (4) The Seattle, Tacoma or Spokane city systems; or (5) The State-wide City Employees' Retirement System.	Same provisions as PERS 3.	Same provisions as PERS 3.

	PERS 3	SERS 3	TRS 3
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Vesting	41.40.820	41.35.680	41.32.875
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- | | | | |
|----------|---|----------------------------|----------------------------|
| 4 | Member is vested if he or she has: | Same provisions as PERS 3. | Same provisions as PERS 3. |
| | (1) Accrued ten years of service; | | |
| | (2) Accrued five years of service, including 12 months of service after attaining age-54; or | | |
| | (3) Prior to Plan 3 implementation date, completed five years of service under Plan 2 and subsequently transferred to Plan 3. | | |

Terminated, Vested Benefit	41.40.790	41.35.620/41.35.680	41.32.840/41.32.875
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|----------|--|----------------------------|----------------------------|
| 5 | (1) Vested members may receive the defined benefit portion of the retirement allowance at age-65. | Same provisions as PERS 3. | Same provisions as PERS 3. |
| | (2) A member may receive an actuarially reduced defined benefit if he or she has attained age-55 and completed at least ten years of service. | | |
| | (3) The benefit payable to terminated, vested members with 20 or more years of service is increased by 3% for each year between the member's separation from service and retirement. | | |
| | (4) Members are eligible to receive the defined contribution portion of their retirement allowance whenever they terminate employment. | | |

	PERS 3	SERS 3	TRS 3
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Credited Service

41.40.010(9)(b)/41.40.088

41.35.010(7)/41.35.033/41.35.180

41.32.010(26)(b)

6

- (1) Compensation earned in an eligible position or positions for:

- (a) 90 or more hours in any calendar month shall constitute one month service credit.
- (b) At least 70, but less than 90 hours shall constitute one half service credit month.
- (c) Less than 70 hours of service shall constitute one quarter service credit month.

(2) **Members employed:**

- The state school for the blind,
- The state school for the deaf,
- Institutions of higher learning; or
- Community colleges.

Twelve months of half-time service credit are earned if the member meets requirements (A) and (B)(1) above, but is compensated for between 630 and 810 hours.

- (3) No more than one month of service credit can be earned in a calendar month from all positions.
- (4) Time spent in stand-by status, whether compensated or not, is not service.
- (5) Service in state-elected positions is considered full-time service.
- (6) Up to two months service credit may be earned for unused sick leave solely for the purpose of determining retirement eligibility.

Same provisions as TRS 3.

- (1) Twelve months of service credit are earned if the member is employed in:

- (a) An eligible position or as a substitute teacher;
- (b) Works nine months during the school year (September to August of the following year); and
- (c) Is compensated for at least 810 hours during that period.

- (2) Twelve months of half-time service credit are earned if the member meets requirements (A) and (B) above, but is compensated for between 630 and 810 hours.

- (3) Members employed either in an eligible position, or as a substitute teacher, who do not qualify under (1) or (2) above:

- (a) 90 or more hours in any calendar month shall constitute one month service credit.
- (b) At least 70, but less than 90 hours shall constitute one half service credit month.
- (c) Less than 70 hours of service shall constitute one quarter service credit month.

	PERS 3	SERS 3	TRS 3
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Elective Service
41.40.010(9)(b)(i)
41.35.030
41.32.010(26)(b)(iv)

- | | | | |
|---|---|----------------------------|----------------------------|
| 7 | Active members elected or appointed to a state elective position may continue to earn service for their time in office by making the required member contributions to the defined contribution account. | Same provisions as PERS 3. | Same provisions as PERS 3. |
|---|---|----------------------------|----------------------------|

Service Credit for Leave of Absence
41.40.805
41.35.650
41.32.865

- | | | | |
|---|---|----------------------------|----------------------------|
| 8 | <p>(1) A member who is on paid leave of absence may receive service credit for such leave for up to two years. This applies to a member, as authorized by a collective bargaining agreement, who serves as an elected official of a labor organization. Credit is given if the member:</p> <p>(a) Makes contributions, plus interest, on behalf of the employer to the defined benefit.</p> <p>(b) Makes contributions, plus interest, to the defined contribution account.</p> | Same provisions as PERS 3. | Same provisions as PERS 3. |
|---|---|----------------------------|----------------------------|

Military Service Credit
41.40.805
41.35.650
41.32.865

- | | | | |
|---|--|----------------------------|----------------------------|
| 9 | A member may receive credit for up to five years of interruptive service in the military by making member contributions to the defined contribution account. | Same provisions as PERS 3. | Same provisions as PERS 3. |
|---|--|----------------------------|----------------------------|

	PERS 3	SERS 3	TRS 3
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Withdrawal of Employee Contributions	41.34.070	41.34.070	41.34.070
10	Members are not eligible to withdraw contributions made on their behalf to the defined benefit portion of their retirement benefit. Members can withdraw contributions to their defined contribution account upon termination of employment. Distribution from the account can be taken as a lump sum or monthly payments, as decided by the member.	Same provisions as PERS 3.	Same provisions as PERS 3.

	PERS 3	SERS 3	TRS 3
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Restoration/ Purchase of Service Credit	41.40.830/41/50.165(2)	41.35.700/41.40.740/41.50.165(2)	41.32.892/41.32.825(1)/41.50.165(2)
	(1) Plan 3 service is not restored.	Same provisions as PERS 3.	Same provisions as PERS 3.
11	<p>(a) Defined benefit is not subject to withdrawal.</p> <p>(b) Defined contribution benefit is not service-based and does not require repayment of withdrawn benefits.</p> <p>(2) Plan 3 members with prior service in Plan 2, may restore Plan 2 service.</p> <p>(a) Restorations within 5 years of re-entry are allocated to the member's defined contribution account.</p> <p>(b) Restorations after 5 years, member pays full actuarial value of restored service. Payments are allocated evenly between the member's Plan 3 defined contribution account and the defined benefit fund.</p> <p>(3) Members who are eligible for early retirement or alternate early retirement may purchase up to 5 additional years of service credit at the actuarial cost of the increase to the member's benefit. Such service is not membership service and may not be used to qualify for early retirement or the 30 year/ 3% early retirement reduction benefit.</p>		

	PERS 3	SERS 3	TRS 3
Compensation	41.40.010(8)(b)	41.35.010(6)	41.32.010(10)(b)
12	Salaries and wages earned during a payroll period for personal services, including overtime payments, deferred compensation, assault pay and standby pay. Excludes non-money maintenance compensation; lump sum payments for sick, vacation, and annual leave, or any form of severance pay.	Same provisions as PERS 3.	Same provisions as PERS 3.
Computation of AFC	41.40(17)(b)	41.35.010(14)	41.32.010(30)
13	(1) The average compensation earnable for the highest 60 consecutive service credit months. (2) AFC may not exceed limits set by the IRS for qualified public systems.	Same provisions as PERS 3.	Same provisions as PERS 3.
Eligibility for Normal Retirement	41.40.820	41.35.680	41.32.875
14	A member may receive the defined benefit portion of the retirement allowance if he or she has attained age-65 and has: (1) Ten years of service; or (2) Five years of service, including 12 months after attainment of age-54; or (3) Five years of Plan 2 service by transfer date.	Same provisions as PERS 3. (3) Five years of Plan 2 service by 9/1/00.	Same provisions as PERS 3. (3) Five years of Plan 2 service by 7/1/95.

	PERS 3	SERS 3	TRS 3
Eligibility for Early Retirement	41.40.820	41.35.860	41.32.875
15	<p>(1) A member who has attained age-55 and completed at least 10 years of service is eligible for a benefit that is actuarially reduced from age-65.</p> <p>(2) A member who has attained age-55 and completed at least 30 years of service is eligible for a benefit that is reduced 3% a year from age-65.</p>	Same provisions as PERS 3.	Same provisions as PERS 3.
Service Retirement Allowance	41.40.790/41.34.070	41.34.070/41.35.620	41.32.840/41.34.070
16	<p>Defined Benefit: One percent of AFC for each year of service without limit.</p> <p>Defined Contribution Account: Form and timing of payments chosen by member from options determined by the Employee Retirement Benefits Board.</p>	Same provisions as PERS 3.	Same provisions as PERS 3.
Minimum Benefit			
17	No provision.	No provision.	No provision.
Cost-of-Living Adjustments	41.40.840	41.35.210	41.32.845
18	Each July 1st, after one year of retirement, the allowance is adjusted to a maximum of 3%, based on the CPI-Seattle.	Same provisions as PERS 3.	Same provisions as PERS 3.
Retirement for Disability	41.40.825	41.35.690	41.32.880
19	A member who becomes totally incapacitated for continued employment shall receive an allowance based upon service credit years and actuarially reduced from age-65.	Same provisions as PERS 3.	Same provisions as PERS 3.

	PERS 3	SERS 3	TRS 3
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Disability Leave

20	No provision.	No provision.	No provision.
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Survivor Benefits, Active Members	41.40.0932/41.40.835	41.35.115/41.35.710	41.32.053/41.32.895
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21	<div>(1) The surviving spouse, child and/or child(ren) receive a joint and 100% survivor benefit, actuarially reduced to reflect the difference in the decedent's age at death and age when first eligible to retire. The benefit of a member killed in the course of employment, as determined by the department of labor and industries, is not subject to actuarial reduction for early retirement. (2) If the member dies in service, or from injuries sustained in the course of employment, survivors receive a \$150,000 lump sum payment.</div>	Same provisions as PERS 3.	Same provisions as PERS 3.
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	PERS 3	SERS 3	TRS 3
Survivor Benefits, Retired Members	41.40.835	41.35.220	41.32.851
22	<p>(1) At the time of retirement for service or disability, the member, with the written consent of the member's spouse, may choose among survivor options adopted by DRS. If spousal consent is not provided, DRS will provide a benefit as if a joint and 50% option was taken.</p> <p>(2) If a member does not designate a survivor at retirement and subsequently marries, they have one year to designate their spouse as their survivor.</p> <p>(3) If a retiree designates a non-spouse as their survivor, they may later remove the survivor designation and have future benefits actuarially adjusted.</p>	Same provisions as PERS 3.	Same provisions as PERS 3.
Medical Services			
23	No provision.	No provision.	No provision.
Gain-Sharing Payments	41.31A RCW	41.31A RCW	41.31A RCW
24	<p>Payments are based on biennial calculations of investment returns. When average of returns over the previous four years exceeds 10%, half of the amount in excess of 10% is distributed to members' defined contribution accounts. Distributions are based on years of service.</p>	Same provisions as PERS 3.	Same provisions as PERS 3.

	PERS 3	SERS 3	TRS 3
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**Post-Retirement
Employment**
41.40.850**41.35.060/41.35.230****41.32.860/41.32.862****25**

If retiree enters eligible employment in PERS, SERS, TRS or LEOFF sooner than one month after accrual date, monthly allowance is reduced 5.5% for every **eight** hours worked to maximum of **160** hours per month. After retiree has been separated for employment from one month retiree may work up to 867 hours per calendar year, without suspension of benefit.

Same provisions as PERS 3.

If retiree enters eligible employment in PERS, SERS, TRS or LEOFF sooner than one month after accrual date, monthly allowance is reduced 5.5% for every **seven** hours worked to maximum of **140** hours per month. After retiree has been separated from employment for one month retiree may work up to 867 hours per calendar year, without suspension of benefit.

**Member
Contributions**
41.34.040**41.34.040****41.34.040****26**

Member does not contribute to the **defined benefit portion** of the retirement benefit. To fund the **defined contribution portion**, members are required to contribute at least 5% of salary.

Same provisions as PERS 3.

Same provisions as PERS 3.

Members elect to contribute an additional percent of pay by selecting one of the six rate options:

Option A:	All ages	0.0%
Option B:	Up to age 35	0.0%
	Age 35 to 44	1.0%
	Age 45 & over	2.5%
Option C:	Up to age 35	1.0%
	Age 35 to 44	2.5%
	Age 45 & over	3.5%
Option D:	All Ages	2.0%
Option E:	All Ages	5.0%
Option F:	All Ages	10.0%

Contribution rate option may be changed annually, beginning in January 2004.

	PERS 3	SERS 3	TRS 3
Employer Contributions	41.45.060	41.34.060	41.45.060
27	Full cost of the defined benefit portion of the retirement benefit.	Full cost of the defined benefit portion of the retirement benefit.	Same provisions as PERS 3.
State Contributions	41.31A.020	41.31A.020	41.31A.020
28	No additional funding required.	No additional funding required.	No additional funding required.

Notes

Washington State Patrol

	WSP 1 Created: 6/12/47 Closed - 12/31/02 RCW 43.43.120 et seq.	WSP 2 Created 1/1/03 RCW 43.43.120 et.seq.
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Design

1 Defined benefit retirement plan. Defined benefit retirement plan.

Membership **43.43.130** **43.43.130/ 43.43.120(24)**

2 **Mandatory** for officers of the Washington State Patrol commissioned **before** 1/1/03. **Mandatory** for officers of the Washington State Patrol first commissioned **on or after** 1/1/03.

Portability **43.43.135** **43.43.135**

3 Dual membership is possible if previous membership occurred in: Same as WSP 1.

(1) PERS or TRS 1;

(2) Any of the Plan 2/3 tiers;

(3) The Seattle, Tacoma or Spokane city systems; or

(4) The State-wide City Employees' Retirement System.

Vesting **43.43.280(2)** **43.43.280(2)**

4 Established upon completion of five years of credited service. Same as WSP 1.

Terminated, Vested Benefit **43.43.280** **43.43.280**

(Terminates, but maintains membership by not withdrawing contributions.)

A terminated, vested member may receive a normal retirement allowance upon attainment of age-60, or an actuarially reduced allowance at age-55.

Same as WSP 1.

	WSP 1	WSP 2
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Credited Service
43.43.120(12)/43.43.130(6)
43.43.12 (12)/ 43.43.130 (6)
6

- (1) All calendar months of full-time employment during which salary is paid for 70 or more hours. Same as WSP 1.
- (2) PERS credited service earned as a Washington State Patrol Cadet may be transferred upon transfer of necessary contributions and interest.

Elective Service
43.43.139
43.53.139
7

- Members continue to earn benefits while serving as an elected official in the Legislature. Contributions are based on the salary the member would have earned in their state patrol position. Same as WSP 1.

Service Credit for Leave of Absence
43.43.235
43.43.235
8

- Members on **paid** leave of absence, or on leave of absence to serve as an elected official of a labor organization may continue to earn service credit for such periods. Same as WSP 1.

Military Service Credit
43.43.260(3)(a)/43.43.130(5)
43.43.130(5)/43.43.260(3)(b)
9

- (1) A member whose service is interrupted by active duty military service and who resumes employment as a member of WSP within one year of discharge may receive up to five years service credit for military service as mandated by federal law. A member whose service is interrupted by active duty military service and who resumes employment as a member of WSP within one year of discharge may receive up to five years service credit for military service as mandated by federal law.
- The member must make employee contributions on the compensation he or she would have earned if not on leave. The member must make employee contributions on the compensation he or she would have earned if not on leave.
- (2) A member with 25 years of credited service may receive up to five years credit for prior military service. Total interruptive and prior military service not to exceed 5 years.

	WSP 1	WSP 2
Withdrawal of Employee Contributions	43.43.280	43.43.280
10	Upon termination of employment for reasons other than retirement or disability a member may sever relationship with the system by withdrawing his or her employee contributions, plus accrued interest at 5.5%.	Same as WSP 1.
Restoration/ Purchase of Service Credit	43.43.130(3)/41.50.165(2)	43.43.130(3)/41.50.165(2)
11	<p>(1) Withdrawn contributions, plus interest as determined by the Director of DRS, may be restored within (a) ten years of the date of termination and (b) five years of the date of resuming service.</p> <p>(2) If restoration is based on dual membership, restoration must be made within two years of establishing dual membership or prior to retirement, whichever occurs first.</p>	Same as WSP .
Compensation	43.43.120(23)(a)	43.43.120(23)(b)
12	The salary earned as a commissioned officer, including cash-outs of unused annual and holiday leave; and over-time pay. After 7/1/01 voluntary overtime and overtime related to highway construction projects are excluded.	Salary earned as a commissioned officer, excluding lump sum payments for deferred annual sick leave, unused vacation or annual leave, holiday or severance pay; overtime rendered in support of highway construction projects; and voluntary overtime.
Computation of AFC	43.43.120(15)(a)/43.43.264	43.43.120(15)(b)/43.43.264
13	<p>(1) The average monthly salary of the highest two consecutive years; or, if credited service is less than two years, the average monthly salary of the total service. (Defined as <i>average final salary [AFS]</i>.)</p> <p>(2) If a dual member, the benefit may be derived from the base salary of any system in which dual membership is held.</p> <p>(3) For members hired after 1/1/96, AFC may not exceed limits set by the IRS for qualified public systems.</p>	<p>(1) The average monthly salary of the highest 60 consecutive months (5 years); or, if credited service is less than 60 months, the average monthly salary of the total service. (Defined as average final salary [AFS].)</p> <p>(2) If a dual member, the benefit may be derived from the base salary of any system in which dual membership is held.</p> <p>(3) AFC may not exceed limits set by the IRS for qualified public systems.</p>

	WSP 1	WSP 2
Eligibility for Normal Retirement	43.43.250	43.43.250
14	(1) Completion of 25 years of credited service; or (2) Attainment of age-55. (3) Except for the Chief, WSP, retirement is statutorily mandatory upon attainment of age-60. (4) Combined service from each of the systems in which dual membership is held may be used solely for determining eligibility for retirement.	Same as WSP 1.
Eligibility for Early Retirement		
15	No provision.	No provision.
Service Retirement Allowance	43.43.260	43.43.260
16	2% of AFS for each year of credited service not to exceed 75% of AFS.	Same as WSP 1.
Minimum Benefit	43.43.274	43.43.274
17	The amount in effect 1/1/04 (\$23.74) increased by 3% annually.	Same as WSP 1.
Cost-of-Living Adjustments	43.43.260(5)	43.43.260(5)
18	After one year of retirement the benefit is increased up to 3% each July 1, based on charges in the Seattle-Tacoma-Bremerton CPI.	Same as WSP 1.

	WSP 1	WSP 2
Retirement for Disability	43.43.040	43.43.040
19	<p>(Duty) 50% of compensation earned at time of disability, less any benefit received from workers' compensation.</p> <p>(Non-duty) 50% of compensation earned at time of disability, less benefits received from workers' compensation, social security, group insurance or other pension plans. If member is less than age-50, an earnings off-set is also applied.</p> <p>Both duty and non-duty benefits are paid from the operational funds of WSP.</p>	Same as WSP 1.
Disability Leave		
20	No provision.	No provision.
Survivor Benefits - Active Members	43.43.270/43.43.285	43.43.285/43.43.295
21	<p>(1) The surviving spouse receives 50% of AFS. After one year, the benefit is increased up to 3% annually based on changes in the Seattle-Tacoma-Bremerton CPI. If the spouse later marries another member who subsequently dies, the spouse receives the higher of the two benefits.</p> <p>(2) If there are surviving children, an additional 5% of AFS for each child is provided except that the total benefit may not exceed 60% of AFS.</p> <p>(3) In the event of no surviving spouse, the first surviving child receives 30% of AFS and each additional child receives 10% of AFS except that the total benefit may not exceed 60%. This allowance is prorated among the children. The children become ineligible at age-18. If the member dies in the line of duty, the benefit to the child(ren) continues to age-21 if they are attending school.</p> <p>(4) If member dies in service or from injuries sustained in the commission of duties - survivors receive \$150,000.</p>	<p>(1) If the decedent was not eligible to retire and had less than ten years of service, the member's contributions, plus interest, are refunded to a designated beneficiary; trust; organization; or the member's estate.</p> <p>(2) If the decedent had at least ten years of service or was eligible to retire, the surviving spouse, or child(ren) if no spouse, may elect either:</p> <p>(a) A refund of 150% of the member's contributions, plus interest; or</p> <p>(b) A joint and 100% retirement allowance actuarially reduced from first retirement eligibility. Allowance is subject to an annual CPI-based COLA of up to 3%.</p> <p>The retirement allowance of a member killed in the line of duty is not subject to actuarial reduction for early retirement.</p> <p>(3) If member dies in service or from injuries sustained in the commission of duties - survivors receive \$150,000 lump sum.</p>

	WSP 1	WSP 2
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**Survivor Benefits -
Retired Members**

43.43.260/43.43.270

43.43.271

22

- (1) The surviving spouse receives the lesser of 50% of AFS or the allowance paid to the member. After one year, the benefit is increased up to 3% annually based on changes in the Seattle-Tacoma-Bremerton CPI.
- (2) Members retiring after July 1, 2000 have the option of providing their eligible spouse with a benefit maintained at the level the retiree was receiving at death, including the annual 3% simple COLA. The cost of providing this option is paid by an actuarial reduction in benefits paid to the member.
- (3) If the spouse later marries another member who subsequently dies, the spouse, if otherwise eligible, receives the higher of the two benefits.
- (4) If there are children, an additional 5% of AFS is provided per child except the total may not exceed 60%.
- (5) If there is no surviving spouse, the first child receives 30% of AFS, and each additional child receives 10% to a maximum total benefit of 60% of AFS. This allowance is divided equally and paid until the child reaches age-18.

- (1) At the time of retirement for service or disability, the member, with the written consent of the member's spouse, may choose among benefit payment options adopted by DRS, including those providing a continuing benefit to a beneficiary. If spousal consent is not provided, DRS will provide a benefit as if a joint and 50% option was taken.
- (2) If a member does not designate a survivor at retirement and subsequently marries, the member has one year to designate their spouse as their survivor.
- (3) If a retiree designates a non-spouse as their survivor, they may later remove the survivor designation and have future benefits actuarially adjusted.

Medical Services

23

No provision.

No provision.

**Gain-Sharing
Payments**

24

No provision.

No provision.

**Post-Retirement
Employment**

25

No provision. Retirees may be employed as members of other state retirement systems without suspension of benefits.

Same as WSP 1.

	WSP 1	WSP 2
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Member Contributions	41.45.0631/41.04.445	41.45.0631/41.04.445
26	(1) The greater of: <div>(a) Two percent of salary; or (b) One half the cost of Plan 1/2 member benefits.</div> (2) The members' contributions <i>may</i> be "picked-up" for <i>all</i> members under Section 414(h) of the IRS code.	Same as WSP 1.
Employer Contributions		41.45.060/41.45.070
27	The state is the employer for WSP members. See <i>state contributions</i> below.	Same as WSP 1.
State Contributions	41.45.060/41.45.070	41.45.060/41.45.070
28	One half the cost of Plan 1/2 member benefits.	Same as WSP 1.

Higher Education Volunteer Fire Fighters' and Reserve Officers'

Higher Education Retirement Plans

Created: 1947
Chapter 28B.10 RCW

Volunteer Fire Fighters' and Reserve Officers' Relief and Pensions

Created: 1945
Chapter 41.24 RCW

Design

- 1** Defined contribution funds administered nationally for educational faculty and administrators. Also a state-funded Supplemental Benefit guaranteeing a minimum benefit level.

A medical and disability plan combined with a defined benefit retirement plan.

Membership

28B.10.400/Regents or Trustees' Rules/WAC

41.24.010

- 2** **Mandatory** for persons who are:
- (1) Appointed faculty of institutions of higher education, including community colleges; or
 - (2) Non-faculty employees specified by the Board of Regents or Trustees for each institution
- Optional** for:
- (1) The first two years of employment in an eligible position; or
 - (2) Members previously in eligible positions, who have been transferred or reclassified to an ineligible position.

Relief Benefits are:

Mandatory for fire fighters who are not full-time, paid members of LEOFF: and emergency workers who are not full-time paid members of PERS. Membership includes volunteers and part-paid employees of municipal and county fire departments.

Optional for reserve police officers. Participation in the plan is at the employer's discretion.

Pension Benefits are:

Optional for all fire, emergency and reserve police. Participation in the plan is at the employer's discretion. If employer chooses to offer pension benefits, individual members may choose whether to participate in plan.

Portability

- 3** No provisions within Washington plans. All Washington higher ed plans provide reciprocal participation with each other and with higher ed plans offered in other states.

No provision, but may be a member of another state retirement system.

Vesting

28B.10.415

41.24.170

- 4**
- (1) The contributory plan is vested immediately.
 - (2) The supplemental benefit is vested upon completion of ten years of service.

The member who opts for a pension is vested for the purpose of receiving a pension upon completion of ten years of service.

Higher Education Retirement Plans

Volunteer/Reserves Relief and Pension

Terminated, Vested Benefit	28B.10.400	41.24.170
5	Not applicable for contributory plan benefits. Members retain right to Supplemental benefit upon retirement, or to the member's beneficiary upon death. This amount may be actuarially reduced in the case of early retirement.	The accrued pension benefit may be received upon attaining age-65 if ten annual payments have been made to the pension fund; or a reduced benefit if at least age-60.
Credited Service	Regents or Trustees Rules/WAC	41.24.170/41.24.190
6	<p>(1) Washington State University: Service is credited when the member, in an academic year of at least one semester, receives compensation for 70 or more hours per month.</p> <p>(2) All other institutions: Service is credited when the member, in an academic year of at least five months, receives compensation for 70 or more hours per month.</p>	Completion of one year as a volunteer fire fighter, with one or more departments or municipalities.
Elective Service	28B.10.409	
7	Member continues to earn benefits while serving as an elected official in the Legislature. The employing college or university pays both the employee's salary attributable to legislative service and corresponding employer contributions. The Legislature reimburses the institution for both salary and contributions.	Not applicable.
Service Credit for Leave of Absence	28B.10.407	
8	If a member returns to employment following an approved leave of absence and pays the necessary contributions, a leave of absence will constitute service but the compensation for this period is not used for determining the supplemental amount.	Not applicable.
Military Service Credit	No provision.	Not applicable.
9		

Higher Education Retirement Plans

Volunteer/ Reserves Relief and Pension

Withdrawal of
Employee
Contributions

41.24.180(4)

Not applicable.

A lump sum payment may be received equal to the contributions made by the member.

10

Restoration/
Purchase of
Service Credit

No provision.

Not applicable.

11

Compensation

Regents or Trustees Rules/WAC

12

(1) *Faculty*: The salary received under the terms of the member's appointment, including those for the summer and other extended periods.

Not applicable.

(2) *Non-faculty*: The salary received.Computation of
AFC

Regents or Trustees' Rules/WAC

13

The average annual salary received from the highest two consecutive years of service under the institution's retirement plan.

Not applicable.

Eligibility for
Normal Retirement

28B.10.400/Regents or Trustees' Rules/WAC

41.24.170

14

Ten years credited service in an in-state institution and attainment of age-65.

Completion of 25 years of service and attainment of age-65.

Eligibility for Early
Retirement

28B.10.400

41.24.170

15

Completion of 10 years of service and attainment of the age authorized for early retirement under Social Security (currently age-62). The supplemental amount is reduced .05% per month for each month under age-65.

Early retirement may occur upon completion of at least ten years of service and attainment age-60.

Higher Education Retirement Plans

Volunteer/Reserves Relief and Pension

Service Retirement Allowance

28B.10.401/28B10.415

41.24.170

16

- (1) For members with 25 YOS, the employee's contributory fund is annuitized. If these payments do not provide a monthly benefit that is 50% of the member's AFC, a supplemental amount is provided. In determining the amount of the supplemental benefit, the following assumptions are used:
 - (a) If married, the member elected a joint and 2/3rds survivor option with a ten year guarantee period using actual ages, but not to exceed five years difference; or
 - (b) If not married, an actuarial equivalent, either of which includes all earned benefits and any other state retirement benefits earned at a state institution; and
 - (c) The matching contributions were allocated equally between a fixed dollar and a variable dollar annuity.
- (2) For members with 10 to 24 YOS, the supplemental benefit is calculated at 2% a year.
- (3) If the member did not contribute the maximum amount authorized after age-50, three-fourths of the supplemental amount is given.

- (1) The normal retirement benefit is \$50 per month plus \$10 for each year in which a contribution was made to the pension fund for the balance of the member's life *except* the total benefit may not exceed \$300 per month.
- (2) Participants between ages 59 and 65 who have completed 25 YOS, receive a retirement benefit calculated as a percentage of the age-65 benefit:

Age-60	60%
Age-61	68%
Age-62	76%
Age-63	84%
Age-64	92%
- (3) Participants age-65 or older with less than 25 YOS receive a retirement benefit calculated as a percentage of the age-65 benefit:

With 10 YOS	20%
With 15 YOS	35%
With 20 YOS	75%
- (4) Participants between ages 59 and 65 who have completed less than 25 YOS, receive a retirement benefit reduced first by the percentages applied under section (3) above, and then by section (2).
- (5) Monthly provisions less than \$50, may be converted to a lump sum payment at the discretion of the state board.

Minimum Benefit

28B.10.430

17

50% of the annuity and 100% of the supplemental amount, may not be less than \$10 per month per year of service.

No provision.

Cost-of-Living Adjustments

18

No provision.

No provision.

	Higher Education Retirement Plans	Volunteer/ Reserves Relief and Pension
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Retirement for Disability	Regents or Trustees' Rules/WAC	41.24.150
19	<p>If the member is determined to be disabled due to a condition of health, the member is eligible for retirement. If the member has ten or more years of credited service, the member, regardless of age, may be entitled to the supplemental amount, except no actuarial reduction will be taken on account of age.</p>	<p>Beginning July 1, 2001, disability payments are increased annually by the 2-year average increase in the CPI for urban wage earners and clerical workers, all items.</p> <p>(1) If the member is determined to be physically or mentally disabled, as the result of the performance of duty, so as to be wholly prevented from engaging in every duty of the member's regular employment, the member will receive \$2,550 a month, not to exceed six months; or \$85 per day for periods of time less than 1 month.</p> <p>(2) The member may receive \$825 per month as long as the disability continues if the member is either:</p> <p>(a) Incapacitated to the extent that he or she cannot engage in any occupation or perform any work for compensation or profit; or</p> <p>(b) After 10/1/78, sustained an injury resulting in the loss or paralysis of both legs or arms, or one leg and one arm, or total loss of eyesight, but is not prevented from engaging in any occupation or performing any work for compensation or profit.</p> <p>If the member has a spouse, an additional \$225 per month will be provided and/or \$110 for each child under the age of 18, to a maximum of \$2,550.</p> <p>(3) Where a permanent partial disability exists, the board may provide a lump sum payment as is paid under workers' compensation in lieu of monthly payments.</p>
Disability Leave		
20	No provision.	No provision.

Higher Education Retirement Plans

Volunteer/Reserves Relief and Pension

Survivor Benefits - Active Members

28B.400(3)/Annuity Contract/Regents or Trustees' Rules/WAC

41.24.160/41.24.230

21

- (1) The beneficiary of an annuity may choose a fixed period annuity, a lifetime annuity, or a lump sum payment.
- (2) If the member has ten or more years of credited service and is eligible for retirement, the beneficiary may be entitled to a supplemental amount as if the member had retired and received the supplemental amount and had elected a joint and 2/3rds survivor option.
- (3) For the purposes of (2), the beneficiary must be either the surviving spouse or, with the spouse's written consent, any person(s) having an insurable interest in the decease's life and is properly designated.

Beginning July 1, 2001, survivor payments are increased annually by the 2-year average increase in the CPI, for urban wage earners and clerical workers, all items.

Duty Related Death:

- (1) A lump sum of \$152,000 is payable as a death benefit; a lump sum of \$2,000 is payable as a funeral allowance; and a lump sum of the member's payment to the pension fund if the member's service is less than ten years.
- (2) A monthly benefit of \$1,275 is payable to the spouse plus \$110 per month per dependent child, to a maximum benefit of \$2,550 per month.
- (3) If the surviving spouse does not have legal custody of the child(ren), the benefit of \$110 per month per child is paid to the person having legal custody.
- (4) If there is no surviving spouse but dependent child(ren) survive, \$1,275 per month is paid to the youngest, with an additional \$110 per additional child, to a maximum benefit of \$2,550. This benefit is paid to emancipation or attainment of age-18.
- (5) A lump sum payment to a survivor may be paid, upon request of the survivor(s). In no case, however, may the payment exceed \$12,000, based upon the actuarial equivalent of the monthly payments.

Non-Duty Related Death:

If the member had ten or more years of service, the surviving spouse may request either a lump sum payment of the contributions made by the deceased to the pension fund; or a monthly pension reflecting the joint and 100% survivor option (based on the benefit received at age-65 with 25 years of service), actuarially reduced reflecting the difference between the member's age and age-65.

Higher Education Retirement Plans

Volunteer/ Reserves Relief and Pension

Survivor Benefits - Active Members (Continued)

21

If a fire fighter dies in service or as a result of injuries sustained in the commission of duties - survivors receive \$150,000. Reserve police officers are eligible for this benefit if their employer covers them under the disability portion of the Plan.

Survivor Benefits - Retired Members

28B.10.400(3)/Annuity Contract

41.24.172

22

The distribution of the retired member's retirement annuity and/or supplemental amount as selected at the time of retirement.

Upon retirement the member may choose to provide a joint and 100% survivor benefit.

Medical Services

41.24.220

23

No provision.

Medical and hospital expenses for injuries or illness sustained as the result of the member's fire fighting or reserve police officer duties.

Gain-Sharing Payments

24

No provision.

No provision.

Post-Retirement Employment

28B.10.420/Regents or Trustees' Rules/WAC

25

The retired member may be re-employed by any institution of higher education, including community colleges, on a part-time basis, not to exceed 40% of full-time annual employment.

Not applicable.

Member Contributions

28B.10.405/28B.10.410

41.24.030(c)

26

- (1) 5% of compensation prior to age-35.
- (2) 7.5% of compensation from age-35.
- (3) Upon attaining age-50, the member may elect to contribute at a rate of 10%.
- (4) The member may allocate his or her contributions between fixed and variable annuity funds.

An annual fee of \$30 for pension coverage. Member does not contribute for disability coverage.

Higher Education Retirement Plans

Volunteer/Reserves Relief and Pension

Employer Contributions

Regents or Trustees' Rules/WAC

41.24.030

27

- (1) Equal to the member's contributions and according to the member's allocation.
- (2) Supplemental benefits to eligible retirees are funded on a "pay-as-you-go" basis.

- (1) \$10 for each fire fighter or part-paid member of a fire department for relief benefits.
- (2) 1.5% of total annual salaries of full-time paid fire fighters, not eligible for LEOFF 1.
- (3) \$30 for each fire fighter or part-paid member of a fire department for pension benefits.
- (4) Employers of police officers and emergency medical workers are required to contribute the full actuarial cost of benefits provided.

State Contributions

28

No provision.

41.24.030(4)(a)

40% of all moneys received by the state from the tax on fire insurance premiums.

Notes

Judicial Judges'

	Judicial Created: 8/9/71 Closed: 6/30/88 Chapter 2.10 RCW	Judges' Created: 2/22/37 Closed: 8/8/71 Chapter 2.12 RCW
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Design

- | | | |
|---|----------------------------------|----------------------------------|
| 1 | Defined benefit retirement plan. | Defined benefit retirement plan. |
|---|----------------------------------|----------------------------------|

2.10.040**2.12.010****Membership**

- | | | |
|---|--|--|
| 2 | (1) Other than for (2) below, mandatory for any judge first elected or appointed to the Superior Court, Court of Appeals, or Supreme Court on or After August 9, 1971, and prior to July 1, 1988, but not including a judge in service <i>pro tempore</i> .

(2) Any PERS member elected or appointed after February 23, 1984, however, may have made an irrevocable choice within 30 days of initial eligibility for JRS to continue membership in PERS. | Mandatory for any judge of the Superior Court, Court of Appeals, or Supreme Court who entered judicial service prior to August 9, 1971. |
|---|--|--|

Portability

- | | | |
|---|---------------|---------------|
| 3 | No provision. | No provision. |
|---|---------------|---------------|

Vesting

- | | | |
|---|--|--|
| 4 | 2.10.100
Credited service of 15 years if the member voluntarily terminates service or 12 years if the member involuntarily terminates service. | 2.12.012
Credited service of 12 or more years. |
|---|--|--|

Terminated, Vested Benefit

(Terminates, but maintains membership by not withdrawing contributions.)

- | | | |
|---|--|--|
| 5 | 2.10.100
Any member who:
(1) Involuntarily terminates service as a judge with 12 or more years of credited service; or
(2) Voluntarily terminates with 15 or more years of credited service, shall receive a retirement allowance upon attaining age-60 with at least 15 years elapsing since beginning eligible judicial service. | 2.12.012
A member with 12 or more years of credited service who terminates service as a judge shall receive a service retirement allowance upon attaining age-70, or 18 years after the commencement of eligible judicial service, whichever occurs first. |
|---|--|--|

	Judicial	Judges'
--	----------	---------

Credited Service
2.10.030(8)/2.10.040
10.12.010/2.12.100

- 6**
- (1) All calendar months served as a judge, including those months at the beginning and end of a term in which ten or more days are served.
 - (2) The member may transfer PERS service, inclusive of all PERS contributions and accrued interest, to JRS. This service, however, is credited at 50%, not to exceed nine years. The respective contributions and interest in this transfer, plus further accrued interest, are refundable if the member leaves judicial service prior to attaining retirement eligibility.

- (1) All periods of time served as a judge.
- (2) The member may transfer PERS service, inclusive of all PERS contributions and accrued interest, to JRS. This service, however, is credited at 50%, not to exceed 12 years. The respective contributions and interest in this transfer, plus further accrued interest, are refundable if the member leaves judicial service prior to attaining retirement eligibility.

Elective Service
2.10.040
2.12.100

- 7**
- No provision except for the ability to transfer up to nine years (half of 18 years) of credited service from PERS.

No provision, except for the ability to transfer up to 12 years (half of 24 years) of credited service from PERS.

Service Credit for Leave of Absence

- 8**
- No provision.

No provision.

Military Service Credit

- 9**
- No provision.

No provision.

Withdrawal of Employee Contributions

- 10**
- No provision.

No provision.

	Judicial	Judges'
Restoration/ Purchase of Service Credit	No provision. Members may not withdraw contributions.	No provision. Members may not withdraw contributions.
11		
Compensation	2.10.030(7)	2.12.030
12	The monthly salary of the judicial position held by the member.	The monthly salary of the judicial position held by the member.
Computation of AFC	2.10.030(9)	2.12.030
13	<p>(1) The salary attached to the position held immediately prior to retirement if serving in the same court for the 12 months preceding retirement.</p> <p>(2) Otherwise, the average monthly salary paid of the highest 24 month period in the last ten years of service. (Referred to as <i>final average salary [FAS]</i>.)</p>	<p>The salary received either:</p> <p>(1) At the time of retirement; or</p> <p>(2) At the end of the term immediately prior to retirement, if retirement is taken after the expiration of the term. (Referred to as <i>salary</i>.)</p>
Eligibility for Normal Retirement	2.10.100	2.12.010
14	<p>(1) Attainment of age-60 and completion of 15 years credited service; or</p> <p>(2) Constitutionally required mandatory retirement at the end of the year in which the member attained age-75.</p>	<p>(1) 18 years of credited service; or</p> <p>(2) Attainment of age-70 and completion of ten years credited service; or</p> <p>(3) Constitutionally required mandatory retirement upon attainment of age-75.</p>
Eligibility for Early Retirement	No provision.	No provision.
15		

	Judicial	Judges'
Service Retirement Allowance	2.10.110	2.12.030/2.12.012/2.12.015
16	<p>(1) 3% of FAS for each year of credited service if the member has at least ten years of credited service, but less than 15 years.</p> <p>(2) 3.5% of FAS for each year of credited service if credited service is 15 or more years.</p> <p>(3) Allowance is capped at 75% of FAS.</p>	<p>(1) 50% of salary; or</p> <p>(2) If credited service is 12 or more years, but less than 18 years, a percentage of 50% equal to the proportion of the years of service and 18 (e.g., if 13 years credited service, 13/18ths of 50%) to be received upon attaining age-70, or the elapsing of 18 years after commencing eligible judicial service, whichever occurs first; or</p> <p>(3) If service is in excess of 18 years, an additional benefit is received based upon 1/18th of salary for each year of service with a maximum benefit of 75% of salary.</p>
Minimum Benefit		2.12.045
17	No provision.	\$10 per month, per year of service.
Cost-of-Living Adjustments	2.10.170	
18	Effective each July 1st, after one year of retirement, the allowance is adjusted up to 3% of the change in the ratio between the annual CPI of the year prior to retirement and the CPI of the year prior to the adjustment. Any decrease in CPI may not result in a benefit below the original allowance received.	No provision.
Retirement for Disability	2.10.130	2.12.020
19	Same provisions as Judges.	50% of FAS for any member having ten or more years of credited service and who is declared to be physically or otherwise permanently incapacitated for full and efficient performance of duty.
Disability Leave		
20	No provision.	No provision.

	Judicial	Judges'
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**Survivor Benefits -
Active Members**

2.10.140

21

- (1) The surviving spouse receives either a benefit of 50% of what the member would have received if retired, or 25% of FAS, whichever is greater, if the deceased:
- (a) Had ten or more years of credited service; and
 - (b) Was married to the spouse for at least two years; and
 - (c) Was in service on July 1, 1988, but did not elect to exchange survivor benefits; or
 - (d) Was not in service on July 1, 1988, but subsequently returned to service.
- (2) The designated beneficiary, spouse, or legal representative receives the member's accumulated contributions if the member was in service on July 1, 1988, and by December 31, 1988, had made an irrevocable election to exchange survivor benefits.
- (3) The spouse may choose a monthly benefit in lieu of the payment of contributions if the member:
- (a) Was in service on July 1, 1988, and, by December 31, 1988, had made an irrevocable election to exchange survivor benefits; and
 - (b) Was eligible to retire; or
 - (c) Had ten or more years of credited service.

2.12.030

The surviving spouse receives 50% of the retirement allowance the member would have been eligible to receive provided the member had ten or more years of credited service and was married to the spouse for at least three years at the time of death.

	Judicial	Judges'
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**Survivor Benefits -
Retired Members**

2.10.140

2.12.030

22

- (1) The surviving spouse receives a benefit of 50% of the retirement allowance received by the member if the member:
 - (a) Was married to the spouse for at least two years;
 - (b) Retired on or before June 30, 1988; or
 - (c) Was not in service on July 1, 1988, but subsequently returned to membership and retired at a later date; or
 - (d) Was not in service on July 1, 1988, but did not elect to exchange survivor benefits.
- (2) If the member was in service on July 1, 1988, and by December 31, 1988, had made a irrevocable election to exchange survivor benefits, then at the time of retirement the member may choose one of the actuarially equivalent joint and survivor options providing either 100% or 50% of the member's actuarially adjusted retirement allowance.

If the member does not choose either option and subsequently dies, any remaining amount of the member's accumulated contributions will be paid to a nominated person having an insurable interest, the surviving spouse, or legal representative.
- (3) If a judge was a member before July 1, 1988, and neither the member or the surviving spouse:
 - (a) Was eligible to receive a benefit; or
 - (b) Had received a sundry claim appropriation equivalent to the member's contributions; then the surviving spouse may apply for and receive a refund of the member's contributions.

- (1) The surviving spouse receives 50% of the member's allowance if he or she was married to the member for at least three years prior to death.
- (2) If a judge was a member before July 1, 1988, and neither the member or the surviving spouse:
 - (a) Was eligible to receive a benefit; or
 - (b) Had received a sundry claim appropriation equivalent to the member's contributions; then the surviving spouse may apply for and receive a refund of the member's contributions.

Medical Services

23

No provision.

No provision.

	Judicial	Judges'
Gain-Sharing Payments		
24	No provision.	No provision.
Post-Retirement Employment	2.10.230	2.12.040
25	<p>(1) If the retiree is appointed or elected to a judicial office, the benefit is suspended until the end of the new service.</p> <p>(2) If a judge with 12 years of service is appointed to a federal judgeship or magistrate position, partial benefit may continue upon member's reaching age-60 with 15 years since joining membership.</p>	<i>Pro tempore</i> service is limited to 810 hours per calendar year. If the member is elected or appointed to a judicial office, the benefit is suspended and membership is reactivated.
Member Contributions	2.10.090/41.04.445	2.12.060/41.04.445
26	<p>(1) 7.5% of compensation.</p> <p>(2) The members' contributions <i>may</i> be "picked-up" for <i>all</i> judges under Section 414(h) of the IRS code.</p>	<p>(1) 6.5% of compensation.</p> <p>(2) The members' contributions <i>may</i> be "picked-up" for <i>all</i> judges under Section 414(h) of the IRS code.</p>
Employer Contributions	2.10.090	2.12.060
27	The state is the employer for Judicial members. See <i>state contributions</i> below.	The state is the employer for Judges' members. See <i>state contributions</i> below.
State Contributions	2.10.090	2.12.060
28	7.5% of compensation <i>plus</i> the estimated current benefit to be paid retirees (i.e., pay-as-you-go funding).	6.5% of compensation <i>plus</i> the estimated current benefit to be paid retirees (i.e., pay-as-you-go funding).

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